

Law Enforcement News

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Police fight IRS over plan to tax take-home cars

By Jennifer Nislow

Police officers who take home their police vehicles for off-duty use may soon find that they're also taking home less in their pay envelopes, thanks to a proposed Federal regulation that would classify the vehicles as fringe benefits, and thus subject to taxation.

The potential new tax burden for law enforcers stems from the Internal Revenue Service's interpretation of a section of the Tax Reform Act of 1984 that applies to the taxation of fringe benefits. The IRS has ruled that officers who take their cruisers home for use while off duty would be subject to a tax levy based on a percentage of the annual lease value of the vehicle.

Those officers who take police vehicles home on a standby basis would be taxed \$3 per day for the "fringe benefit."

The IRS regulation has touched off a firestorm of protest from police groups across the country, from police chiefs' associations to labor groups to organizations of local elected officials. Chief Thomas J. Sardino, president of the International Association of Chiefs of Police, has warned that enforcement of the IRS regulation will probably force agencies to abandon take-home cruiser programs, thus depriving communities of needed public safety protection.

The IRS maintains that the regulation stems from a change in

law to tax any fringe benefit, including the personal use of an official car. The regulation does not currently differentiate between the company car of a bank executive and a police car, and an IRS spokesman contended that to change the regulation administratively, it must be proven that the employer is the beneficiary of the take-home program.

Rep. Beryl Anthony of Arkansas has introduced legislation that would exempt public safety officers from the IRS regulation, by including them under the "working condition fringe" provision also included in the 1984 tax act. A spokesman for the Congressman said that because a good deal of Arkansas is rural, police officers generally have to take home their cruisers as a condition of their job. "We don't feel they should be taxed, especially if it's a requirement to take the car home. We feel they're on duty 24 hours a day," said the spokesman.

A similar situation faces police officers in Arizona, where the vast stretches of rural terrain make the option of bringing cars back to a police department parking lot a "practical impossibility," according to Major James Getner, fiscal manager of the Arizona Department of Public Safety.

"We have people in places where there's no town, no

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Officer Diane Duncan of Prince George's County, Md., does a bit of grocery shopping with the help of her police cruiser.

Washington Post

The eyes have it:

Florida cops on the lookout for DWI clues

It started out as a classroom project at the Institute of Police Traffic Management in Jacksonville, Fla. It ended up with formation of a state task force that will study the need for standardized field sobriety testing in Florida.

And, according to Sgt. Michael Egger of the Clearwater police, a member of the IPTM class, the project also led to the conclusion that the Horizontal Gaze Nystagmus test is "unequivocally" the best method of testing suspected drunken drivers.

The nystagmus test was just one of the testing methods studied from among a battery of tests proposed by the National Highway Traffic Safety Administration (NHTSA). There is currently no standardized format

for field-testing sobriety in Florida, with officers throughout the state using as many as 16 different methods.

The Horizontal Gaze Nystagmus test is a way of testing suspected DWIs by gauging the jerking of eyes as they track an object moving from side to side. Under the influence of alcohol or other depressant drugs, such as marijuana or barbiturates, the autonomic tracking mechanism of the eyes is affected.

Sgt. William Braun of the St. Petersburg police said that the eyes of a legally intoxicated subject will start to jerk when an object such as a pen is deviated 15 degrees from center. If the subject's eyes start to jerk when the object is at 45 degrees from

center, he may be presumed to be mildly impaired.

Braun contended that the nystagmus test would enable officers to be reasonably certain that a suspect is impaired even if more obvious signs of impairment are not present.

"Police officers may be somewhat reluctant to arrest what might be known as a borderline drunk driver based upon the current methods of testing used," Braun said. "If an officer stops a suspect and finds that he performs the test now used, he may feel there really isn't a strong enough case and reluctantly back off and allow the driver to drive on."

Sgt. Egger, who has used the nystagmus test himself as well as

having trained some 300 officers in its use, has found it to be particularly useful in cases involving senior citizens.

"We've had a difficult time with the standard field sobriety test with senior citizens because due to their advanced age there are very few tests they can perform, so they'd be excluded from that point of view," said Egger. "I'm talking about people between 55 and 65 where the standard field sobriety test gives them great difficulty due to their age and physical condition. The Horizontal Gaze Nystagmus test appears to be a very good measure of intoxication especially up to the .10 threshold we have here in Florida."

Among the other NHTSA-

recommended tests assessed by students at IPTM were the walk-and-turn and the one-leg stand. A second, alternative battery of tests, suggested by officers in light of Florida's large proportion of senior citizens, included the Rhomberg with combined alphabet recitation, finger-to-nose and the finger count.

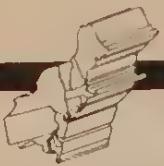
The students concluded, however, that additional study is necessary to verify the reliability of the latter group of tests.

According to Egger, the Clearwater Police Department has found the nystagmus test to have an 80 percent success rate. "We've already introduced it in court and seems to work pretty good there," he said. "We haven't

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Around the Nation

Northeast



MARYLAND — A package of bills designed to curb child abuse and broaden the state's role in missing-children investigations has been approved by the State Senate and sent on to the House. Among the bills was legislation requiring criminal background checks of new child-care workers and teachers.

NEW JERSEY — Crime in Atlantic City's casino-hotels dropped by more than 10 percent from 1983 to 1984, despite the opening of another gambling palace last year, officials there said. Det. Capt. James Dooley, head of the Atlantic City PD's casino-hotel investigations unit, said 8,560 crimes were reported in 1984, down from 9,549 the previous year.

NEW YORK — The state's two U.S. Senators, Daniel P. Moynihan and Alfonse M. D'Amato, have introduced legislation to reauthorize the Federal Crime Insurance program — slated for the austerity scrap heap by President Reagan — when the program expires on September 30. The program, which enables residents and businessmen in high crime areas to purchase low cost crime insurance, last year paid out \$11 million to subsidize claims nationwide.

New York City has begun publishing lists of its 100 most-wanted fugitives and offering cash rewards for information leading to their capture. The program is similar to the FBI's most-wanted-criminals list. There are an estimated 37,000 felony fugitives in the city, and the new program is directed against those deemed to be the most dangerous and violent, according to Police Commissioner Benjamin Ward.

The police chief of Albany, Thomas H. Burke, stepped down on March 8, ending a 33-year career. He was succeeded by Deputy Chief John Reid, a veteran of 29 years with the

Albany force.

The Albany PD lost another veteran member March 16 when Det. Sgt. George M. Lynch, commander of the South End Neighborhood Police Unit, retired after 32 years. Lynch is now chief of security for the New York State Lottery Commission.

The state's Thruway Authority has begun printing pictures and brief descriptions of missing children on the backs of toll tickets handed out along the 559-mile roadway. An estimated 80 million toll tickets are handed out annually to Thruway motorists. The effort is being conducted in conjunction with Child Find, a new Paltz, N.Y.-based clearinghouse for missing children.

Southeast



GEORGIA — Police officers in Wadley have been ordered to "shoot-to-kill" stray dogs beginning March 25. Mayor B.A. Johnson also put a \$3 bounty on the strays, saying there's no other way to solve the town's stray-dog problem. The local Humane Society has protested the mayor's shoot-to-kill directive.

NORTH CAROLINA — The Charlotte Police Department has agreed to serve as pilot agency for a Handgun Safety Project sponsored by the Police Executive Research Forum (PERF), with technical assistance from the Handgun Information Center. The program is designed to educate the public on the proper storage and maintenance of handguns. Police Chief Mack Vines stressed that the project "is in no way connected with the concept of gun control."

SOUTH CAROLINA — Charles Condon, solicitor for the state's 9th Circuit, is drafting legislation that will require the 8,000 prison inmates in state facilities to watch televised electrocutions. Condon says the practice would have deterrent effect on violent

crime.

Midwest



ILLINOIS — The Guardian Angels, the citizens' safety patrol garbed in red berets and distinctive t-shirts, may soon be setting up shop in the Chicago suburb of Wheeling. Said Wheeling Police Sgt. Jack Kimsey about the prospect of the Angels coming to town, "Who knows? It might be a very positive situation."

Nearly one-quarter of the 216 potential Chicago police recruits who have been given physical exams this year have been rejected because traces of illegal drugs were found in their systems, according to the head of the police department's personnel division. Joseph Beazley said the urinalysis tests turned up "mostly marijuana, but there was a smattering who had other drugs."

INDIANA — Sheriff Rudy Bartolomei of Lake County has vowed to remain in office despite his recent indictment on Federal charges of conspiracy, mail fraud and embezzlement. Bartolomei, the top law enforcement officer in the state's second most populous county, said through his lawyer that the 15-count indictment against him and his wife was "politically motivated" with "no credible evidence."

MICHIGAN — A 150-member "safety coalition" has demanded that state lawmakers earmark a portion of the state cigarette tax to hire more police officers throughout Michigan. The group, made up primarily of Detroit residents, met with legislators last month to voice complaints about the lack of protection on neighborhood streets.

Prison contraband is a means of maintaining order in penal facilities, according to a criminologist at Michigan State University. Professor David Kalinich, a former Ohio parole officer, has been studying the contraband issue for 10 years, and said recently that unauthorized

goods and services serve to make the prison environment more tolerable and temper feelings of deprivation. "Being active in the contraband system lets prisoners vent frustrations, gives them something to look forward to, allows them to use their mental skills and breaks up the monotony of daily prison life," he noted.



KANSAS — The Shawnee Police Department has reached out to Warrenville, Ill., to find a new deputy chief. Shawnee tapped Chester Hall, who for the past three years has been chief of police in Warrenville.

MISSOURI — Officer Michael L. Hayles of the Pagedale PD has been indicted on two felony counts of sexually assaulting a woman in a cemetery. Hayles, a police officer since 1980, was indicted on charges of sodomy and first-degree sexual abuse involving a 23-year-old St. Louis woman. The officer has been suspended without pay, and is free on \$50,000 bond.

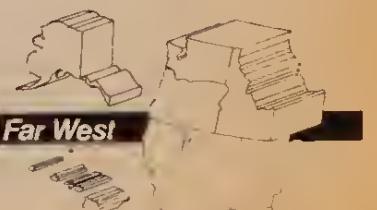
One of three persons found guilty in aiding the escape of convicted drug trafficker James Q. Quintana last September 12 has been sentenced to 23 years in Federal prison. Lewis Newton, 52, helped free Quintana as he was being returned to the Federal penitentiary at Leavenworth, Kans.



ARIZONA — A former Phoenix police chief will be taking over security responsibilities at the Arizona Republic/Phoenix Gazette on March 29. Larry Wetzel, who retired as head of the Phoenix PD in 1980 after 32 years

with the force and 12 as chief, will be replacing Claude Stephens, a former New York state trooper, in the newspaper security post. Wetzel has been safety director for the Arizona Corporation Commission since retiring as police chief.

TEXAS — Robert Wasserman, the civilian police administrator of the Houston Police Department, will no longer be taking days off during the week as compensation for working on the weekends. Wasserman has been under fire for allegedly tending to personal business matters in Boston on city time, but he was cleared by Police Chief Lee P. Brown. Brown said Wasserman "worked more actual time for the department than could reasonably be expected of any employee," but said he was curtailing Wasserman's comp-time practice because "regardless of how many previous days have been worked without a day, [the practice] is not in the spirit of the city's executive personnel policies."



CALIFORNIA — A ram that butted a woman who later died of her injuries was shot and killed after it charged officers investigating the case. Los Angeles County sheriff's deputies went to the home of the ram's owner in Altadena to investigate the earlier attack that had taken place on February 17, when the ram charged. A deputy shot the animal twice, killing it.

NEVADA — Police in Las Vegas have broken up a multimillion-dollar narcotics smuggling ring operating between Guadalajara, Mexico, and the Southwest. A routine traffic stop by Metro uniformed officers inadvertently assisted an ongoing investigation by members of the police narcotics unit, and led to the arrest of five people and the seizure of 60 pounds of high-grade marijuana.

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DRINKING AND DRIVING CAN KILL A FRIENDSHIP.

Supreme Court adds new wrinkle to Miranda

The U.S. Supreme Court has outlined a new modification to the 19-year-old Miranda rule in a decision that split the Court and drew the praise of the law enforcement community.

In a 6-to-3 decision handed down on March 4, the Court ruled that if police fail to immediately advise a suspect of his Miranda rights, it does not necessarily make a later confession inadmissible, if the warnings have been given properly in the interim.

The question before the Court was whether an initial violation of the Miranda so inherently tainted a subsequent confession, one given after the warnings have been issued, that it must also be suppressed.

According to Associate Justice Sandra Day O'Connor, who wrote the majority opinion, the subsequent confession should not be suppressed, provided that no coercion was involved in obtaining the first, "unwarned" confession.

O'Connor said that in invalidating the subsequent voluntary and informed admission because of a prior failure to give a suspect the warnings would be an "unwarranted extension" of the Miranda decision.

Associate Justice William J.

Brennan Jr. issued a bitter dissent in which he accused the majority of delivering "a potentially crippling blow to Miranda and the ability of the courts to safeguard the rights of persons accused of crimes."

Brennan's dissent ran 46 pages, in contrast to the majority's 19-page opinion.

Brennan's dissent was joined by Associate Justice Thurgood Marshall, who accused the Court of "a studied campaign to strip the Miranda decision piecemeal." Last year the Court approved a "public safety exception" to Miranda, in which they said that a suspect may be questioned without the warnings in light of "overriding considerations of the public safety."

The Court's current decision overturned a ruling by the Oregon Court of Appeals that had reversed the burglary conviction of an 18-year-old youth.

Armed with an arrest warrant, police had gone to the youth's home. While explaining their presence, police told the youth, James Elstad, that they believed he was involved in a burglary. Elstad said "Yes, I was there." When he was brought to the stationhouse an hour later, he was read the Miranda warnings and gave a full confession.

While the state trial court conceded that the admission "I was there" was inadmissible, the subsequent voluntary confession was found to be admissible and Elstad was sentenced to five years. The Oregon Court of Appeals took exception to this finding, however, maintaining that while the first admission was not itself compelled, it had a "coercive impact" that induced Elstad to confess. The appellate court threw out the conviction.

Justice O'Connor wrote that the Oregon Court of Appeals had adopted an "expansive view" of the Fifth Amendment that "effectively immunizes a suspect who responds to pre-Miranda warning questions from the consequences of his subsequent informed waiver of the privilege of remain-

ing silent.

"This immunity," the Justice continued, "comes at a high cost to legitimate law-enforcement activity, while adding little desirable protection to the individual's interest in not being compelled to testify against himself."

The full impact of the decision in *Oregon v. Elstad* cannot as yet be assessed due to the various approaches lower courts have chosen in dealing with the problem. Courts such as Oregon's, which have held that the Miranda warnings alone are inadequate to remedy the initial statement, have not automatically required that all later statements be suppressed. Instead, such courts have required a substantial passage of time or an intervening

event such as the arrival of a lawyer, before acknowledging the initial violation as being remedied by a later Miranda warning.

Law enforcement spokesmen, however, were quick to praise the Court for the new ruling.

Daniel B. Hales, president of the Chicago-based Americans for Effective Law Enforcement, told the Associated Press that if a person wishes to waive his constitutional rights and make a confession, he should be allowed to.

William C. Summers, a supervising attorney for the International Association of Chiefs of Police, shared Hales' view. Summers contended that the ruling will balance the entire criminal justice system, moving it closer to a middle ground.

US-Mexico relations in a tangle in wake of DEA agent's murder

The discovery of the bodies of kidnapped Drug Enforcement agent Enrique Camarena Salazar and that of a pilot he worked with have served to fuel a growing fire between Mexico and the U.S. over narcotics-trade issues.

The bodies of Camarena and the pilot were found in plastic bags on a Mexican ranch in early March, a month after the men had disappeared. Powerful Mexican drug traffickers are suspected of being responsible.

Although Mexican officials claim that they are doing their best to combat narcotics trafficking, U.S. officials note that there

has not been a single major Mexican drug dealer convicted in the past eight years. The officials said this may have been understandable during the previous Mex-

ican administration, when the police chief of Mexico City was suspected of profiting from drug traffic, but they say it is less understandable now.

American officials fear that Mexican police may be protecting suspects in the Camarena case instead of pursuing them. The DEA charged the Mexican police last month with helping one suspect, Rafael Caro-Quintero, to escape. Caro-Quintero left the Guadalajara airport under the protection of members of the Mexican Department of Federal Security, according to DEA administrator Francis M. Mullen.

Another suspect, cocaine kingpin Juan Matta Ballesteros, was traced to a Mexico City apartment early last month. Ballesteros subsequently

escaped after Mexican officials put off persistent requests by U.S. officials that he be arrested.

In wake of these events, the U.S. has clamped down on the border between the two countries, implementing stricter border checks and limiting border access. For one week last month, every car crossing the Mexican-American border was checked in what was said to be a search for evidence in the kidnapping case. Traffic was delayed for up to six hours, infuriating Mexican officials, tourists and businessmen.

In other actions, nine small border crossings in New Mexico, Arizona and Texas were closed after anonymous yet reportedly credible threats were made

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NYC crime panel renews call for merger of 3 forces

The Citizen's Crime Commission of New York City has issued its perennial cry for consolidation of the city's three major police forces, and the president of the commission believes there is a better chance this year than previously of bringing the housing and transit police forces under the direct authority of the city's police commissioner.

Thomas A. Reppetto, the crime commission's president, contends that the Bernhard Goetz shooting incident and its aftermath have focused enough attention on subway crime to make the consolidation a reality. Reppetto said the episode has "caused a questioning of everything in criminal justice."

Another reason for the merger's improved chances, Reppetto asserted, is the new leadership at the Transit Authority, in the persons of president David L. Gunn and chairman Robert R. Kiley.

Despite Reppetto's optimism, however, the transit police don't see the merger coming to pass this year. Said a spokesman for the transit force, "I don't think decisions like that would come about because of a particular case."

The consolidation of the three police departments has been a long-time goal of the Citizen's

Crime Commission, particularly in terms of the merger's implications for dealing with subway crime. The commission's annual report notes that the "logical person to command the drive for subway safety is the New York City Police Commissioner."

Although there is some coordination among the three forces, the housing and transit police forces are employees of the New York City Housing Authority and the New York City Transit Authority. The city's police commissioner does have some operational prerogatives in terms of the two agencies.

The commission's report praised Police Commissioner Benjamin Ward's programs for restoring officers to beat patrols and for making more arrests for crimes that affect the quality of life within the city.

In looking at another part of the criminal justice system, the commission suggested that space be found for the rising prison population in New York State. The commission estimated that New York's prison population will rise to 40,000 within the next few years, and urged that prison space be increased for "hard-core offenders" and "meaningful alternative sanctions" established for others.

The sick-leave policies of the Boston Police Department have left Officer Jeannette Atterberry with no recourse but to call the police commissioner when she wants to go out to buy a quart of milk.

And, despite her efforts to make a Federal case out of the situation, the U.S. Supreme Court has turned down her appeal, leaving Atterberry feeling like "a person in prison."

Due to a department regulation designed to keep officers from feigning illness, an injured officer is restricted to his or her home except for doctor's visits and trips to the drug store. Atterberry came within the scope of the policy in 1981 when she suffered a fractured pelvis and broken ribs in a cruiser accident. She has been on full recuperation while recuperating.

In mid-1982, Atterberry began calling Police Commissioner

Joseph Jordan to request permission to attend church services, pay bills and buy groceries. Permission was denied each time, in accordance with the departmental policy.

Atterberry subsequently sued Jordan, citing the denial of permission to attend a friend's funeral, take medically prescribed walks and accompany her 12-year-old daughter and 14-year-old brother to social activities. "By keeping me in, they were also confining my kids at home," said Atterberry. "And no one should have so much power over someone's life."

The policy was altered as a result of the lawsuit, although officers must still ask permission to attend services, buy groceries and attend to the health care of a child. The revised policy was upheld by a state judge and the state Supreme Court subsequently ruled that the policy is "ra-

tionally connected with...mainaining an effective police force."

Last month, Atterberry lost her final bid to have the policy overturned when the U.S. Supreme Court rejected her appeal.

According to an attorney for the Boston Police Patrolman's Association, Frank J. McGee, the only course of action left open to police officers is through collective bargaining to have the policy changed. "The policy makes people prisoners in their own houses," he said.

McGee believes that there is a good chance of having the policy changed under newly appointed Police Commissioner Francis M. Roache. "I think Commissioner Roache and Mayor Flynn will be much more sensitive to this problem," McGee said. "I'm very optimistic about dealing with them. Commissioner Roache is a very decent person."

People and Places

To fight and win

When Chicago Police Officer Arthur Brown lost part of his tongue to cancer this year, it didn't stop him from speaking out against the disability classification that would have cut his salary in half.

When Brown returned to duty in January after having cancer surgery, he was told by a police physician that he could not work.

Now, however, under a settlement reached last month with the police department, Brown will be allowed to remain on the job with full pay.

He earns about \$30,000 a year.

According to a police spokesman, it is still undetermined whether Brown will continue in his current light-duty clerical assignment at Traffic Court.

Where's the fire?

If Police Officer Karen Demick of St. Petersburg, Fla., is no longer particularly fond of fireworks or automobile pollution controls, there's good reason.

Officer Demick's day started going downhill when she drove her police cruiser into a field of dry grass recently in search of three boys who reportedly had been firing a gun. She left the car's motor running as she took off on foot after two of the boys, who turned out to have been playing with firecrackers.

By the time the officer got back to her cruiser, the car, three acres of undeveloped land and a responding fire truck had been incinerated.

Apparently an anti-pollution device on the bottom of Demick's 1983 Dodge cruiser ignited some of the dry grass beneath the vehicle. Said Lieut. Richard D. Evans, the car was on fire within seconds.

Initially, Evans said, the fire did not seem serious, but when the fire hit the gas tank the flames spread rapidly. As the smoke billowed toward Eckerd College, the owner of the undeveloped acreage, fire trucks began rushing to the scene.

The pumper truck that caught fire was riding around the

perimeter of the blaze, watering down grass on the outskirts of the area to keep the fire from spreading. The truck circled the fire three or four times but on the last time, said Fire Lieut. Willie Barnes, firefighters stopped the truck and were unable to get it back into gear.

According to firefighter Hendri Robinson, he could feel the encroaching heat of the fire, but he continued to try saving the truck.

"I tried putting it [the truck] into reverse and it just wouldn't move," said Robinson. "I was trying to put it into gear and it wouldn't get into second, first, reverse or anything. After that all we could do was save ourselves."

Firefighters jumped away from the truck at the last minute as another pumper truck arrived. The pumper poured gallons of water on the fire, and along with two other trucks formed a chain of hoses that stretched to a fire hydrant. The truck fire was finally brought under control after 30 minutes.

Fire officials are still not certain why the truck became stranded in the knee-deep grass.

As for Officer Demick, who declined to comment to local reporters, she was credited with the subsequent arrest of the three juveniles. No injuries were reported in the incident.

House warming

Sheriff Richard P. Wille of Palm Beach County, Fla., could be in hot water if allegations saying the sheriff failed to report gifts and favors to the public while building his new house are proven true.

Wille reportedly received gifts ranging from cut-rate sod to a vacation in the Bahamas, which he failed to report despite a state law requiring full financial disclosure by all elected officials of gifts worth more than \$25.

Wille's business dealings came under scrutiny in January 1983, when he began building his house on three acres of land he previously owned.

According to The Fort Lauderdale News/Sun-Sentinel, Wille wrote "none" on his 1983 gift-disclosure form. The State Division of Elections and the Palm Beach Supervisor of Elections had no record of Wille filing a gift-disclosure document for 1982.

Knowingly falsifying an official record or disregarding required

Chief sets sights on gun purchasers

Are you legally, mechanically and psychologically prepared to defend yourself with a gun against an assailant? If the answer is no to any of the above, then Bellevue, Wash., Police Chief D.P. Van Blaricom wants to remind you that no one comes in second in a gunfight.

These questions and other words to the wise were first included in an article Van Blaricom wrote for the Bellevue Journal-American. Van Blaricom wrote the article in the wake of the recent favorable publicity over ordinary citizens who shot would-be assailants, and he has since taken to enclosing a copy of the article with every application for a concealed weapon received by Bellevue authorities.

Among other things, Van Blaricom's article advises citizens on how not to become a victim. For instance, he suggests, attend police sponsored seminars and bring your children. If your neighborhood does not already have a Neighborhood Watch program, offer your services in hosting one to your local police department's crime prevention unit. Always make sure your car is in good operating condition in case you get stranded and keep your car doors locked when driving in

urban traffic. Also, the chief urges readers to consider alarm systems for the home along with a fire warning device, since statistics show that people are more likely to die in a house fire while sleeping than to be murdered by an intruder.

Van Blaricom then observes, "You have done all of that and you still feel uneasy. How about the gun?" Before deciding on a gun, the chief urges readers to consider three "essential" questions: "Am I mechanically trained in how to use the gun safely and effectively?"; "Am I legally trained in when I can justifiably shoot another person without margin for error and be ready to accept the liability for my actions?"; "Am I psychologically prepared to shoot

someone and actually use the gun when I take it out before it is taken away and used on me?"

If you have answered all three questions in the affirmative, Van Blaricom states, keep in mind that most of the reported assaults in Bellevue occurred at home and were between family members. The addition of a gun, he opines, might add fatal results to an emotionally charged family argument.

Also, once you have established that it is not necessary to carry the gun around all the time, Van Blaricom said, there is the possibility that your house could be burglarized and the gun stolen.

If after all is said and done and the reader still plans to acquire a gun, Van Blaricom warns that the gun had better be big enough to do the job. "Those cute little guns which are so convenient to slip into a pocket simply do not pack enough punch to stop an adversary as soon as he is hit," the chief notes.

Van Blaricom said that under Washington state law, concealed-weapon permits may only be denied to individuals with felony records, the insane or those with a history of drunkenness or drug addiction.



Van Blaricom

duties can lead to a felony charge of official misconduct.

Also, the News/Sun Sentinel reported, Wille's house was built by a newly formed company that was not licensed to build until June 1983. The independent contractor who started the company was revealed to be Thomas S. Waldron, a multimillionaire developer who is currently under Federal investigation for mortgage fraud.

mander of the Manhattan South patrol area, officers do not stop cars to check for compliance with the seat-belt law. If they observe a prostitute soliciting customers and then getting in a car, they will stop the car and charge the hooker with loitering for the purpose of prostitution.

If the officer then observes that the customer is not wearing his seat-belt — and most aren't, police say — they are given summonses for violating the law. Breaches of the seat-belt law are punishable by a maximum fine of \$50.

"We use whatever tools we can," said Kerins. "You have to be as ingenious as the prostitutes are in devising legal means to deal with the problem."

As an added benefit of the crackdown on seat-belt violators, "the pimps are all wearing their seat belts now," Sgt. Valerean Askins said. "They're aware of the enforcement."

At least one patrol car from Manhattan's 10th Precinct is assigned to observe prostitutes and make arrests during the evening and overnight shifts.

Capt. Martin Kaas, commanding officer of the 10th Precinct explained that convictions are difficult to obtain against those who patronize prostitutes, because police officers must prove that an actual offer was made and money in fact changed hands.

In addition, police said, most judges sentence prostitutes to time served while awaiting arraignment and release them.

Law Enforcement News

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What They Are Saying

"We caught most of our defense attorneys with their pants down."

Sgt. Michael Egger
of the Clearwater, Fla., Police Department,
on the courtroom success of field sobriety test. (1:1)

People-power:

Date set for anti-crime night

Communities nationwide will be taking to their porches, stoops and front lawns again this summer for their big "night out" to prevent crime.

The National Night Out, initiated last year by the National Association of Town Watch, will be reenacted this year in almost all 50 states. Communities will celebrate the occasion, designed to foster community awareness in neighborhood crime prevention programs, with police bands, police caravans, poster contests and pool parties.

Community groups, in conjunction with local police departments, will light up their

neighborhoods from 8 to 9 P.M. on August 13. Police will monitor crime at that time to determine if crime decreased during that hour.

According to Matt Peskin, the Night Out's project coordinator, there were no instances of Part I crime committed during last year's event. "Calls went down, and there were just very few incidents," Peskin said.

The NATW hit on the Night Out campaign when they were looking for an activity that would involve a large number of communities at one time. "We wanted to highlight crime prevention and what's going on in different areas," Peskin said.

BJS finds prisons loaded with repeaters

Prison is becoming more like a home away from home for a sizable number of offenders, according to a survey conducted by the Bureau of Justice Statistics and released earlier this month.

The BJS study revealed that almost 84 percent of arriving inmates at state prisons across the country in 1979 were repeat offenders. The study, which involved interviews with a sample of inmates nationwide, stated that 61 percent had been imprisoned previously, 42 percent were on probation or parole for an earlier conviction at the time they entered prison and 28 percent of those who entered prison would still have been behind bars if they had served their maximum sentence.

The BJS report maintains that crime could be significantly reduced if offenders were required to serve their maximum sentence. According to Assistant Attorney General Stephen S. Trott, the head of the Justice Department's Criminal Division, approximately a quarter of all crimes committed by prisoners studied were committed while the offender should have been serving the rest of his time.

BJS director Steven R. Schlesinger said the study raises "serious questions" about parole and probation decisions. He conceded, however, that it was impossible to determine how much crime might be avoided through sentencing policies.

In the eyes of Lawrence A. Greenfeld, the statistician who wrote the report, parole has not been the failure indicated by the figures in the study. The report focused on only those who went back to prison, Greenfeld said. "Half did not return to prison."

By late 1986, a system of determinate sentences will be implemented for Federal offenses under the Comprehensive Crime Control Act of 1984. At that point parole will be abolished for all new offenders.



Lawrence Greenfeld

The BJS study also showed that almost 60 percent of those who will return to prison within 20 years do so within the first three years.

Age is a significant factor in the rate of return to prison, the report stated, with the youngest prisoners being the most likely to commit new crimes. Of those 18 to 24 years of age, 22 percent will return to prison within a year of release. The percentage drops down to 12 for those 25 to 34 years old, 7 percent for those 35 to 44, and 2 percent for those over 44.

Also, the report said, half of the youngest group will return to prison with seven years after release, as compared to 12 percent of those over 44.

According to the study, the general rate of imprisonment throughout the country has been on the rise. While there were only 7.2 court-ordered commitments to prison for every 10,000 adults in 1978, the figure shot up to 10.1 in 1983.

"The increased reliance on imprisonment is not simply a reflection of hardening public values," the report argued. "It is also based upon the growing body of knowledge about career criminals and the likelihood that many offenders will continue to commit crimes after they are released from prison."

According to NATW, the campaign's success is attributable largely to its simplicity and low cost. Localities have free rein over the activities they choose to spotlight the program.

Community participation in the National Night Out has increased to the point where statewide coordinators can be used to organize the event. "It's really a grassroots network kind of thing," said Peskin. "It's not a 'from-the-top-down' sort of thing or a Federal program, that's one of the neat things about it."

Funding for the program comes from NATW, but if the event keeps growing the way it has, alternative funding will have to be found. The cost to NATW is mostly administrative, with the association providing instruction, suggestions and artwork. After that a local sponsor takes over. "There really isn't a great deal involved for either side, it's only getting them [community groups] involved and registered," said Peskin.

The Houston Police Department, for example, will spread the



Residents of Wynnewood, Pa., during the 1984 National Night Out.

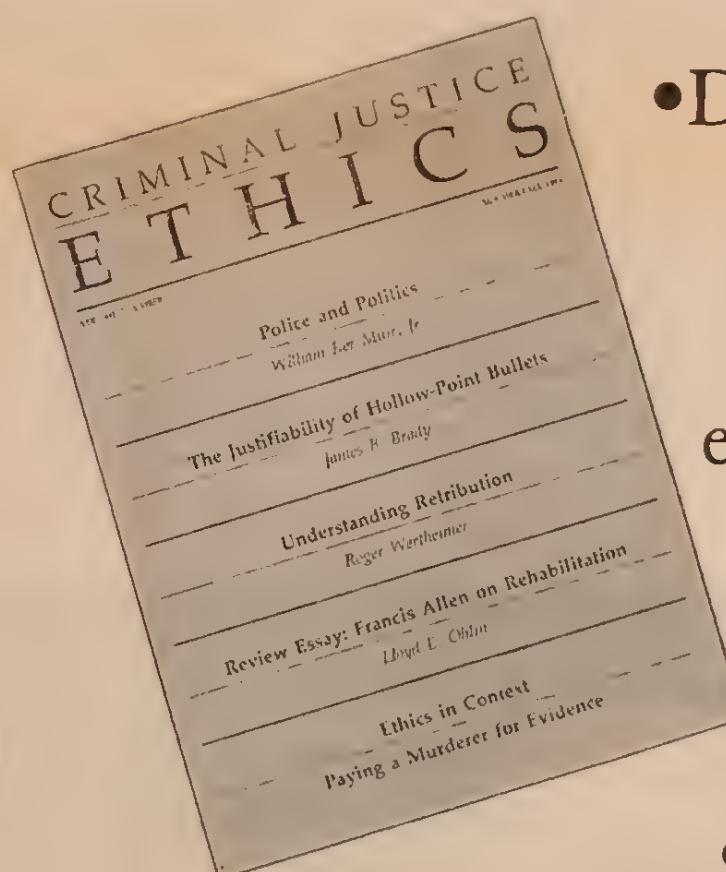
word to their citizen groups, the groups take over from there and go from neighborhood to neighborhood with the police department's advice and cooperation.

Carol Bruseger, a field staff supervisor for the Committee on

Crime Prevention in Minneapolis, called the Night Out a "fantastic" program.

"There is so much positive energy in being hooked up to a national effort," Bruseger declared. "People are looking forward to it already."

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Taxing their patience:

Police lock horns with IRS

Continued from Page 1

telephones and we have to have a quick call system to them out in the middle of the night to handle an accident," Getner said. He maintained that in order to provide response on a 24-hour-a-day basis, it is cheaper and more effective to have officers take vehicles home than to leave the cars in unsecured parking areas.

Thomas Finn, a spokesman for the National Sheriffs' Association, declared that the proposed regulation will have a "chilling impact" on the ability of law enforcement to respond to requests for service. He projected that a vacuum will be created that communities will have to fill, depending on how much they are willing to spend to get the kind of police service they are used to.

"It's an absolutely ridiculous effort on the part of the IRS to reach out and embrace the law enforcement community in a very punitive way to catch a problem not even associated with the law enforcement community," the NSA spokesman said.

The regulation is due to go into effect in July, and all taxes will be withheld retroactively from January 1985. And, according to most observers, unless IRS grants police departments the exemption they're seeking, the enforcement of the regulation will bring with it a Pandora's box of administrative nightmares for those who keep fiscal records.

According to Major George F. Robinson of the Prince George's County, Md., Police Department, whose agency has a take-home car program, the regulation is vague as to how the IRS will compute the taxable percentage on the annual lease value of the vehicle.

Robinson went on to note that the particular method of assessment chosen — the flat \$3-per-day rate or the annual percentage —

will be left to the discretion of each individual department. "The suggestion is that it is either at the option of the employee or the employer, depending on the employee's perspective as to which is better to their unique tax situation," he said.

The major estimated that the annual cost to individual officers will lie between \$300 and \$1,000, depending on which method of computation is used. "There is suggestion that the IRS may just assume 30 percent of the car is personal and 70 percent is business and just use that same equation."

Out in Arizona, Maj. Getner said the Department of Public Safety is looking into a plan under which officers would have the \$3 withheld from their salaries and then at the end of the year, when filing personal income taxes, an officer's W-2 form would show the excess amount of withholding attributable to the vehicle.

"We will then provide officers with the several different formulas that the IRS will accept and let the officer use which ever one is to his advantage and possibly get a refund," Getner said. "There may be one in there that takes into account depreciation costs, operating costs and vehicle insurance. If the guy lives only two miles from his beat it may cost him only a \$1.10 a day instead of the \$3, so he might want to file for a refund. If it costs him \$5 a day, he's better off accepting the \$3 a day and keeping his mouth shut."

As the proposed regulation currently stands, officers will be required to keep a log of the business miles they accumulate in connection with use of department vehicles.

Getner contends that the impact on individual officers will not be as great as everyone believes.

"Look at it from this point. If an average officer would work about 47 weeks a year, five days a week, that's 235 days times \$3 a day. That's only \$705 additional income. Now let's just say an average officer is in 28 percent tax bracket, so that is only going to cost that officer \$197 a year to drive that car 235 days. It's only going to cost him 84 cents a day. You can't even drive a personal car so cheap. I think they would be spiting themselves to drive a personal car into work."

In the estimation of Fred A. Schneyer, a spokesman for the Florida Department of Law Enforcement, it is not the money so much as it is the principle. "Why should our personnel be penalized for being required to have a take-home car?" he demanded.

Although the FDLE does not respond to emergency calls such as highway accidents, Schneyer noted that "drug busts don't always happen between work hours."

Schneyer conceded that in the case of his agency, unlike many other communities, take-home vehicles are only intended to be used for police business, and not to increase visible police presence.

Congressional hearings on the proposed IRS regulation are currently in progress, and a broad spectrum of interest groups have lined up to protest the regulation's potential impact of policing and police officers.

In a letter to Roscoe L. Egger Jr., commissioner of the IRS, Ordway P. Burden of the National Law Enforcement Council observed that "the automobile is a tool of the trade for many law enforcement officers, just like uniforms and weapons."

"We don't tax the officer for the use of his weapon or uniform when he is going to and from a

...While New York cops have a fight of their own

While police organizations nationwide are rallying to fight the Internal Revenue Service proposal to tax take-home cruisers as fringe benefits, one Congressman has taken up the cause of repealing an IRS ruling that would retroactively tax New York City police and firefighters for work-related sick pay.

Rep. Mario Biaggi (D-N.Y.) has introduced legislation calling for a halt to what he calls "a terrible and unjust financial burden on the shoulder of New York City's public safety officers."

"Many of them simply do not have the means to pay," the Congressman said, "and none of them should have to."

Biaggi's bill would effectively block the *ex post facto* effect of the IRS ruling. It will be left to the New York City government to provide the necessary relief for police and firefighters who receive work-related sick pay in the future. Such efforts by the city government are currently underway, Biaggi said.

for the Public Safety Coalition can be found on Page 8 of this issue.

Although the matter is far from resolved, at least one observer was optimistic about the outcome of the struggle with the Internal Revenue Service.

Said David Baker, secretary-treasurer of the International Union of Police Associations (AFL-CIO), "We expect, based on the testimony we heard and inferences made in Washington, that the regulation will be modified to a great extent to eliminate [these] problems."

Yet another group that has leaped into the fray is the Public Safety Coalition, which was formed specifically to fight the IRS proposal. The coalition includes eight member groups: the Police Management Association, the National Association of Police Organizations, the Police Executive Research Forum, the National Institute of Policing, the Fraternal Order of Police, the National Sheriffs' Association, the Police Association of the District of Columbia, the National League of Cities, the Command Officers Association and the United Federation of Police.

A decision by the Internal Revenue Service on the proposed regulation is due some time in April.

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A right to an attorney means just what it says

If you are a police officer reading this column, you have probably read the Miranda rights to suspects dozens of times. In a recent decision, the United States Supreme Court warns you to listen closely to what the suspect



Supreme Court Briefs

Jonah Triehwasser

says after you tell him "You have a right to an attorney." Your actions after the suspect's response can cost you an otherwise good arrest.

Facts of the Case

Shortly after his arrest, 18-year-old Steven Smith was taken to an interrogation room at the Logan County, Ill., Safety Complex for questioning by two police detectives. The session began as follows:

"Q. Steve, I want to talk to you in reference to the armed robbery that took place at

McDonald's restaurant on the morning of the 19th. Are you familiar with this?

"A. Yeah. My cousin Greg was.

"Q. Okay. But before I do that I must advise you of your rights. Okay? You have a right to remain silent. You do not have to talk to me unless you want to do so. Do you understand that?

"A. Uh. She told me to get my lawyer. She said you guys would railroad me.

"Q. Do you understand that as I gave it to you, Steve?

"A. Yeah.

"Q. If you do want to talk to me I must advise you that whatever you say can and will be used against you in court. Do you understand that?

"A. Yeah.

"Q. You have a right to consult with a lawyer present with you when you're being questioned. Do you understand that?

"A. Uh, yeah. I'd like to do

that.

"Q. Okay." [102 Ill. 2d, at 368-369, 466 N.E. 2d, at 238 (emphasis in opinion)].

Instead of terminating the questioning at this point, the interrogating officers proceeded to finish reading Smith his Miranda rights and then pressed him again to answer their questions:

"Q. ...If you want a lawyer and you're unable to pay for one a lawyer will be appointed to represent you free of cost, do you understand that?

"A. Okay.

"Q. Do you wish to talk to me at this time without a lawyer being present?

"A. Yeah and no, uh, I don't know what's what really.

"Q. Well. You either have to talk to me this time without a lawyer being present and if you do agree to talk with me without a lawyer being present you can stop at any time you want to.

"A. All right. I'll talk to you

then." [Id., at 369, 466 N.E. 2d, at 238 (emphasis in opinion)].

Smith then told the detectives that he knew in advance about the planned robbery, but contended that he had not been a participant. After considerable probing by the detectives, Smith confessed that "I committed it," but he then returned to his earlier story that he had only known about the planned crime (Id., at 370, 466 N.E. 2d, at 238). Upon further questioning, Smith again insisted that "I wanna get a lawyer" (Id., at 370, 466 N.E. 2d, at 238). This time the detectives honored the request and terminated the interrogation.

Smith moved at trial to suppress his incriminating statements, but the trial judge denied the motion. A transcript of the interrogation was introduced as part of the State's case-in-chief, and Smith was convicted.

Reversing the Conviction

In a *per curiam* opinion, the Supreme Court reversed Smith's conviction, noting that "an accused in custody, having expressed his desire to deal with the police only through counsel, is not subject to further interrogation by the authorities until counsel has been made available to him, unless he validly waives his earlier request for the assistance of counsel" (*Edwards v. Arizona*, 451 U.S., at 484-485). This "rigid" prophylactic rule, *Fare v. Michael C.*, 442 U.S. 707, 719 (1979), embodies two distinct inquiries. First, courts must determine whether the accused actually invoked his right to counsel. (See, e.g., *Edwards v. Arizona*, supra, at 484-485, whether accused "expressed his desire" for or "clearly asserted" his right to the assistance of counsel; *Miranda v. Arizona*, 384 U.S., at 444-445, whether accused "indicated[d] in any manner and at any stage of

the process that he wish[ed] to consult with an attorney before speaking."

Second, if the accused invoked his right to counsel, courts may admit his responses to further questioning only finding that he (a) initiated further discussions with the police, and (b) knowingly and intelligently waived the right he had invoked. (*Edwards v. Arizona*, supra, at 485, 486, n.9).

The Court went on to rule that once Smith said "Uh, yeah. I'd like to do that" upon learning that he had the right to the presence of counsel, all questioning should have ceased. The Court also ruled that Smith's subsequent response to police-initiated custodial interrogation was not a valid waiver of his right to counsel. Because of these factors the Court reversed Smith's conviction. (*Smith v. Illinois*, 84-5332.)

One Lies and the Other Swears to It

Respondent John Abel and two cohorts were indicted for robbing a savings-and-loan in Bellflower, Calif., in violation of 18 U.S.C. §§2113 (a) and (d). The cohorts elected to plead guilty, but respondent went to trial. One of the cohorts, Kurt Ehle, agreed to testify against respondent and identify him as a participant in the robbery.

Respondent informed the District Court at a pretrial conference that he would seek to counter Ehle's testimony with that of Robert Mills. Mills was not a participant in the robbery but was friendly with respondent and with Ehle, and had spent time with both in prison. Mills planned to testify that after the robbery Ehle had admitted to Mills that Ehle intended to implicate respondent falsely, in order to

Continued on Page 13

Law enforcement volunteers may have the police surrounded

Unpaid volunteers may outnumber regular officers in the nation's police and sheriffs' departments, according to a study by the American Association of Retired Persons (AARP). The AARP estimated that more than 600,000 volunteers, working an



Burden's Beat

Ordway P. Burden

average of six and a half hours per week, are involved in local law enforcement.

Said the AARP report: "No precise data is available as to the number of law enforcement agencies which sponsor volunteer programs. However, it would appear safe to estimate that at least one of every seven do involve citizen volunteers in one or more of their activities." Furthermore, the report stated, "Law enforcement officials predicted substantial future growth... in volunteer numbers, the number of agencies providing volunteer opportunities, and the number of functions in which volunteers will be allowed to serve."

The AARP's study found that slightly more than half of the volunteers in law enforcement were over 55 years old; one-third were over 64. Bernard E. Nash, the AARP consultant who directed the survey, said supervisors of volunteers prefer people over 55 because of their "reliability and concern."

600,000 volunteers are police reserves. Otto Vehle, executive director of the Reserve Law Officers of America, said that "350,000 would be an accurate guess of the total number of volunteer peace officers in America.

"That figure would include a few auxiliaries," he said, "although most civil defense auxiliary police organizations have

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Flashback



1942: Life during wartime

With the American war effort getting into gear, representatives of the International Association of Chiefs of Police met in Washington with Paul V. McNutt (3d from left), chairman of the War Manpower Commission, to see to it that the home front was kept secure — by granting Selective Service deferments to the nation's law enforcers. Going over the particulars are (l. to r.): Don F. Striver, Superintendent of the Indiana State Police; Capt. Donald S. Leonard of the Michigan State Police, then president IACP; McNutt, and Supt. Edward J. Kelly of the Rhode Island State Police, IACP's executive secretary. *Wide World*

Forum

Spurlock:

What Congress really meant by tax reform

By Edward J. Spurlock

Important law enforcement and public safety concerns have been generated by the Internal Revenue Service's recent interpretation of §531 of the Tax Reform Act of 1984 relating to the taxation of fringe benefits. The IRS's proposed and temporary regulations now appear to include police department "take-home" vehicles as fringe benefits taxable to the police officers who take the vehicles home.

The IRS's interpretation of section 531 is the opposite of what Congress apparently intended under the statute, which was to treat the use of a take-home police vehicle as a "working condition fringe" under Code §132(d), and thus exclude the take-home cars from taxation to the police officer.

In recent months, an organization known as the Public Safety Coalition has been formed to bring to the attention of Congress the threat which the IRS interpretation presents to many state and local law enforcement programs around the country involving take-home police vehicles. The coalition is composed of the Police Management Association, the National Association of Police Organizations, the Police Executive Research Forum, the National Institute of Police-

ing, Fraternal Order of Police, the National Sheriffs' Association, the Police Association of the District of Columbia, the National League of Cities, the Command Officers Association and the United Federation of Police. We represent the interests of tens of thousands of public safety employees throughout the United States.

Since the late 1960's, following a successful pilot program in Indianapolis, Ind., increasing numbers of progressive state and local governments have instituted what are generically known as "take-home cruiser programs." While there are many varieties of this type of program, the common factor is that the officer takes home a police vehicle equipped with a police radio, and is encouraged to drive the police vehicle, rather than a private car, while off-duty within his jurisdiction. The vast majority of the vehicles taken home under such programs are marked cars that are readily recognizable by the general public — a direct and important benefit to the police department and the public, as will be seen.

A primary public benefit of these programs revolves around the proliferation and increased visibility of police vehicles on the street. It has been estimated that

take-home cruiser programs triple the number of police vehicles on the street, thus contributing to effective crime reduction and an increased public perception of safety in the community. Moreover, the deterrent effects of preventive patrol, a scarce and expensive public resource, are multiplied under the take-home cruiser programs.

Virtually all of the 14,000 or so police departments in this country require a 24-hour-a-day, seven-day-a-week commitment from their officers. Officers are required to intervene in crimes in progress they may see, even if they are off duty. In the District of Columbia, for example, the off-duty officer may be prosecuted for not taking appropriate police action in such situations.

For a police officer to be on the road in a police vehicle rather than a private car serves vital law enforcement interests. The police cruiser is equipped with radio communications linking the officer to headquarters. The off-duty officer who sees a crime in progress, and who, let us remember, is *obligated* to respond, can radio headquarters to summon additional officers if he or she sees the need for it while in the take-home police vehicle. This increases the officer's own safety, that of the public, and the effective-

ness of the police response.

It should be quite clear that police vehicles are in a class by themselves as far as the alleged "benefit" to the officer from the use of the vehicle for commuting and other personal purposes. Use of police vehicles is accompanied by serious law enforcement obligations and risks that are not present in other organizational vehicles.

We of the Public Safety Coalition cannot believe that Congress intended through the fringe benefits tax statute to threaten these important and innovative programs that help to safeguard the public. Accordingly, the coalition urges the addition of an amendment to §132 of the Internal Revenue Code, specifying that the use of a government-owned vehicle used by law enforcement personnel pursuant to governmental or law enforcement guidelines or requirements is a "working condition fringe" under §132(d) of the Code.

Inspector Edward J. Spurlock is commander of the Repeat Offender Project of the Washington, D.C., Metropolitan Police Department. He also currently serves as president of the Police Management Association.

Bequai:

The 'cashless society' and criminality

By August Bequai

Anyone who has used an automated teller machine, point-of-sale terminal or telephone bill-paying system is plugged into America's cashless society. These computerized payment systems, often referred to as Electronic Funds Transfer Systems (EFTS), allow for funds and related financial data to be transferred electronically from one account to another. The cashless society is a reality.

More than 9,000 financial institutions, including 7,500 commercial banks, are presently members of 175 computerized payment systems. Of the 40,000

automated teller machines now in use, 5,000 are connected to six systems that operate virtually nationwide. Corporate America relies on these automated payment systems to transfer more than \$30 billion daily; the annual traffic now exceeds \$90 trillion. Paper currency is increasingly giving way to digital pulses.

Yet with the proliferation of EFTS, there is also concern over just how these electronic payment systems are. A recent Justice Department study found that EFTS "provide an electronic environment that is potentially fertile for criminal abuse." The director of the U.S.

Secret Service has been quoted as telling members of the Bank Administration Institute that in one six-month period alone, his agency had received more than 1,400 EFTS fraud referrals. He warned that "we can only expect the spiral to continue."

There is justifiable basis for concern, for at the heart of the cashless society lies the computer, and the computer has already proven itself to be vulnerable to criminal attack. The U.S. Chamber of Commerce estimates that computer-related crimes account for more than \$100 million in annual losses. The American Society for Industrial Security places computer-related losses at as high as \$1 billion, and warns that the problem will only "continue to grow."

EFTS are open to an array of criminal attacks. Of primary concern is the electronic penetration of these systems. For example:

¶ Browsing — By simply connecting an unauthorized terminal to a system that does not record terminal entry, a criminal can gain undetected access to the computer's files.

¶ Piggyback Entry — Messages between a computer and its legal user can be intercepted, enabling the criminal to modify or delete segments of the intercepted data, and send the altered data to its intended user.

¶ Electromagnetic Pickup — This involves the interception of radiation generated by a computer's control processor, telephone and teleprinter lines, or its microwave communications.

EFTS are also vulnerable to sabotage. For example, a disgruntled Federal employee caused more than \$15,000 in damage to the General Services Ad-

ministration's computers in Washington, D.C. In another incident, employees of an English company threatened to destroy the company's computer files unless the employees were given a pay raise.

Some experts fear that well-coordinated attacks against key computer centers could cripple America's cashless society. FBI sources estimate that the destruction of 100 key computer centers in the United States could cause serious economic havoc. More than 30 such centers have already come under attack by terrorists in Europe.

The potential for EFTS frauds is both real and serious. For example, a computer consultant took a Los Angeles bank for more than \$10 million in an EFTS caper by simply identifying himself as a senior bank officer and giving the proper codes. He arranged to have the funds transferred to a Swiss account under his control. A San Francisco bank lost \$21 million in an EFTS fraud, while a former Federal Reserve Bank Board employee managed to tap into the Fed's computers and obtain access to confidential money-supply information.

Yet corporate America has, and continues to display a cavalier attitude toward this problem. More than 40 percent of our corporations are said to be without any computer security program. The ethics of corporate America also leave much to be desired. A study of elec-

Continued on Page 13

August Bequai, Esq., is a Washington, D.C., lawyer who specializes in the area of law and technology. This article is adapted from a lecture delivered at Long Island University in February.

Other Voices

Editorial views on criminal justice issues from the nation's newspapers.

The mob's weak spot: the wallet

"Here they come again, the aging mobsters of New York. Flanked by bodyguards and lawyers, they quickstep through a media gauntlet at the courthouse, snarling for reporters, fending off cameras with umbrellas and coats. Some dismiss such scenes as self-promotion for prosecutors. Top mafiosi may be indicted, but with the best lawyers they often avoid conviction. At worst they might post a few million for bail, perhaps serve a short prison term — minor irritations. This time, the prosecutors say, it's different. They are finally ready to make effective use of legal weapons that can do lasting damage, not just inconvenience the mob. They may be right. Recent indictments of the "commission," the alleged governing council of the five crime families, are the much-belaied fruit of RICO, the 1970 Racketeer-Influenced and Corrupt Organization Act. It sets long prison terms where a prosecutor can prove a criminal "enterprise." Perhaps more important, it authorizes seizure of illicitly obtained wealth and its proceeds. Prosecutors have used it to win long prison terms for mob leaders in Cleveland, New Orleans and Los Angeles. But they have less to point to on the civil side, which may actually be more crucial. Even sending a mobster to prison for 40 years need not disrupt his organization as long as its income-producing assets remain in place. In short, the civil side of RICO is a way to attack the mob root and branch."

— *The New York Times*
March 5, 1985

No doubt there are many police chiefs who have muted under their breath. "What the hell does the mayor know about law enforcement to be telling me what to do. I'm the professional around here." In like fashion, there are probably just as many mayors and city managers who have quietly cursed the fact that their police chiefs are a little reluctant to take direction from City Hall.

So what do we have on our hands? The potential for a classic Mexican stand-off?

Not if Tom Cooke and the National Institute of Policing have anything to say about it. The NIP, although one of the newest organizations on the law enforcement scene, is perhaps the only one attempting to build a bridge between elected officials and police executives. In this way, it is hoped, the bottom line will be enhanced police services in communities across the country.

Thomas H. Cooke Jr., 53, is more than just chairman of the National Institute of Policing. He is an experienced front-line player who has been steeped in the needs of the cities, particularly his native East Orange, N.J., where

he is currently serving his second four-year term as mayor. (He's the first mayor ever to appear in a LEN interview.) And, when the idea of creating a National Institute of Policing was first put forth in 1982 by the Police Foundation and the U.S. Conference of Mayors, Cooke was ready and waiting for the call.

At the time, Cooke was serving as chairman of the Human Development Committee of the Conference of Mayors, a position that, arguably, made him the only logical choice to become the first chairman of the institute. He brought to his new post with NIP a diversified background that couldn't help but be an asset: three terms as an East Orange city councilman; two terms as an Essex County, N.J., freeholder; a master's degree in guidance and personnel administration and experience as a secondary school teacher in Newark, and his experience as a civil rights activist during the turbulent days of the 1960's. (One could also make the argument that his abundant energy stems from his days as a swimming and football coach.)

While the National Institute of Policing is not averse to

carrying on lobbying activities, Cooke says that its principal aim is to bring city and county executives and their police officials together in seminars and conferences to share knowledge, explore ideas, debate research findings and develop joint courses of action. One such convention, held last November in New York and billed as the First National Conference on Crime, drew city and police officials from 22 states and the District of Columbia, and the degree of consensus achieved was truly impressive. The conferees formulated position statements on criminal justice research, narcotics enforcement and Federal aid to local law enforcement, among other subjects, and the level of debate was high and remarkably free of the acrimony that might in some situations characterize interactions between chief city leaders and their subordinates in the police department.

Cooke has since carried the institute's message to the halls of Congress and back to the U.S. Conference of Mayors, and his refreshing combination of energy and enthusiasm, along with an evident political savvy, leave one little room to doubt that he and the institute have only begun to make a mark on criminal justice.

"My number-one priority: education, economic development and public safety. You can't have a livable city without those three holding the number-one position."

Thomas H. Cooke

**Mayor of East Orange, N.J.
and chairman of
the National Institute of Policing**

Law Enforcement News interview
by Peter Dodenhoff

LAW ENFORCEMENT NEWS: One of the founding premises behind the National Institute of Policing was to forge an ongoing partnership between police leaders and political leaders. To elaborate, to what extent should policing be subordinate to the political system or, conversely, insulated from it?

COOKE: Basically, I think policing, as with all other services offered to our citizens, must be subordinate to the elected officials — some people like to use the term "politicians," but I prefer to call them elected officials. The police department and its administrators are all arms of the service delivery system that elected officials are responsible for putting in place and maintaining to serve the people.

I don't believe that there are as many political implications as many people would like to imply, and the strongest measure to make sure that the police department — or any other service, for that matter — doesn't become strictly politicized is for the general public to

hold their public officials accountable for the delivery of services. The electorate has a very definite responsibility to monitor the actions of their elected officials and to demand responses.

LEN: But don't the citizens — and their elected officials — have larger agendas than simply policing and public safety, and thus accountability may have to be taken in balance, with policing as just one part of that balance?

COOKE: No question about it. You're absolutely right in that assumption. But even so, we are not expected, nor should we even strive to utilize those forces for our own personal gain or aggrandizement. I just think that public officials need to have their feet on the ground and their heads out of the clouds, and pay attention to the duties and responsibilities to which they were elected.

LEN: To put things in perspective, how do you size up crime and public safety issues in terms of the larger local agenda that you as a mayor must deal with?

COOKE: It's one of my three top priorities as the mayor

of this city — and I say three top priorities because I think that education, economic development and a clean and safe city are all one and the same. If we do not have a climate in this city where people feel that it is safe to walk or to shop wherever they want to, they won't want to live here; businesses will not want to come here. Education, for instance, is important because we have to fill the job market, we have to improve the educational standards of our employees who are charged with the service delivery. Economic development is not going to come if people sense that crime is running rampant, because investors will just not invest in areas where they don't see a return for their dollar. Hence, since I have been involved in public office, I have had a triad which I normally call my number-one priority, and that's education, economic development and public safety. You cannot have a livable city without those three priorities holding the number-one position. I got involved in the National Institute of Policing because I'm fully aware that the fear of crime is more pervasive than crime itself. And we have to allay those fears by creating a better working relationship between the

Continued on Page 10

"I would much rather have the money to pay decent salaries to a group of professionals who really need it, as opposed to hiring more people."

Continued from Page 9

elected officials, i.e. the mayor, and the police chief and police administrators, to make sure we're all pulling in the same direction at the same time.

LEN: Is your perspective as far as the relative priority of streets, education and economic development one that is generally shared by many of your colleagues in, say, the Conference of Mayors?

COOKE: Yes, I believe so. That's one of the reasons why we have gotten so much support for the establishment of the National Institute of Policing. It came about several years ago when I became chairman of the Human Development Committee of the Conference of Mayors, and we started some discussions with the Police Foundation and Pat Murphy, and we have been going strong since then. We've gotten very good support, and the participation by mayors has been steadily growing, because they too recognize that it's a very necessary ingredient to accomplishing economic development, which ultimately helps to stabilize the tax base. And as long as our citizens are of the opinion that they're getting a fair shake for their taxes, they don't have a problem, basically, even though they complain. They don't have a problem as long as they can see some results.

LEN: What sort of results do you think citizens are generally looking for? Is there a temptation for city officials to go for the "quick fix" in order to score points with the electorate, or can the public be sold on long-term, perhaps more meaningful solutions to large, complex problems?

COOKE: I think that as long as we present a plan that encompasses both short- and long-term programs we will get their support. For instance, I like to talk about the fear of crime as opposed to actual crime itself. Many people are of the opinion that just adding more police to the force will help alleviate crime; that's not necessarily the case. I'm of the opinion, and this has been my plan over the past several years since I've been mayor, I have actively engaged in increasing participation by citizens through our Neighborhood Watch program, through membership in the auxiliary police, through initiating interest on the part of young people in public safety work through Scout and Explorer troops in both the police and fire departments. Interestingly enough, three years ago I had to implement a layoff of 14 percent of my work force, and that included public safety. As the budget process went on, we were able to rehire some, but we never rehired everyone that we had to lay off. But at the same time, I saw a continuing increase in the number of participants in our Neighborhood Watch programs and in our Explorer posts and the auxiliary police. As a result, over the past three years we have seen a continuing drop in the crime rate in this city.

LEN: On the subject of fear of crime, you're living virtually in the backyard of Newark, where for the past 18 months they've been studying that whole issue. Is there any spillover in the benefits of that program that you may have seen in East Orange?

COOKE: I don't really think so, and I've been part of the monitoring team of that program on behalf of the Conference of Mayors and the National Institute of Policing. I've found that many of the things that they started concentrating on in Newark were things that I had already been doing here, and that is creating and ex-

panding the Neighborhood Watch program, holding additional seminars for the business and residential communities to show them how to protect themselves more adequately and cut down on the number of breakings-and-enterings, and to encourage Neighborhood Watch in order to provide an aura of safety as far as residential communities are concerned. The only thing that I note, basically, is that even though we have people in this city who are residents of this city and who commit crimes, a goodly number of individuals are coming in from surrounding areas to commit crimes.

LEN: In terms of what you said about being one step ahead of the tactics employed by the fear-of-crime project in Newark, does that perhaps suggest that the means of addressing fear of crime can be attained in the absence of \$1.8-million Federal grants — in other words, within the limits of a municipal budget?

COOKE: There are some things that we can do, even though we lose money. And I would suggest that one of the reasons why some of the things have taken place is because of a lack of funds coming in to help us. I don't mean to imply that we don't need the money — we do. But I would much rather have the money, for instance, to pay decent salaries to a group of professionals who really need it, as opposed to hiring more people. If I were in a position to pay the policemen in my city as well as they're paid in New York, for instance, or some of the other cities, I would venture to say that they would be even more motivated, and I think they're a terrific police department right now. We have one of the quickest

responses in the nation in this city, and that is something that I'm very happy about. During the height of the social revolution, we never had problems in this city that were just everyday occurrences in many other cities across the country, simply because we had a mayor who was attuned to what was going on and we tried to respond to the concerns of our community.

Today, we have more problems because the community has changed to some extent, and we do have an ongoing problem with unemployment, as other communities have. But even with that, we still have been able to address the fear of crime by encouraging increased participation on behalf of the citizens, and as far as our police department is concerned, they're spoken to on occasion by myself directly, or very directly by the chief and the police commissioners on how to handle local problems so as to avoid situations that could ultimately lead into accusations of police brutality or stuff like that. It's a full-time job just trying to address what people perceive problems to be and what problems actually are. So far we've had a pretty good record in terms of addressing those problems, and I'm proud of that record.

LEN: Is there a temptation for elected officials to try to make political capital out of crime statistics, perhaps even at the cost of distorting the data to show something they were not initially intended to show?

COOKE: There are some people who would do that. I would not venture to say that there aren't people who utilize statistical data to distort or enhance whatever

"I do not see any situation getting better where there is a definite strain on relationships between the chief police executive and the chief elected official."



the issue is or whatever objective they're trying to reach...

LEN: Just to clarify, this is not to suggest that the motives may not be well-intentioned in misrepresenting the statistics.

COOKE: Absolutely; I agree. However, we have to feed the data in based on the reportable crimes that come to us. There's some that takes place, just about everywhere, that never gets reported. But out of the reported incidents, we have been fortunate over the past four years to see a continuing decline in our crime rate, and I feel good about it.

LEN: In a situation where an elected official does misrepresent crime data, whether intentionally or not, is it incumbent upon a police chief to outline the truth of the situation as he or she may perceive it? In other words, should elected officials and police executives disagree publicly on key issues?

COOKE: I think there has to be some form of disagreement at some point in time on an issue. Everybody's not going to see the same thing in the same way all the time. There has to be enough leeway for a professional difference of opinion as to how a problem can be resolved. It happens with elected officials all the time. With police executives, for instance, especially under our system, the vast majority of them are Civil Service people, so it's not a matter of just losing your job. So obviously they have some protection to stand up and say "This is what I reported to be the facts in my annual report. And if someone else chooses to misinterpret these and give a

different connotation, that's up to him. But here's my official report as it pertains to conditions in our city and my responsibilities as the chief executive of the police department."

LEN: Is it conceivable that there are certain situations in which it's advisable for police executives and elected officials to get together on the public face they want to project, or should they simply be true to themselves and honest and up-front with the public regardless of situation?

COOKE: I think they should be up-front and honest with the public as well as with the chief executive of the city, period. They have an obligation to do that. They have an obligation to be factual first, factual and professional. I certainly do not see any situation getting better where there is a very definite strain on relationships between the chief police executive and the chief elected official. I think it's to the benefit of both to try and meld their thinking so that it comes out with some form of support. The whole city benefits then.

LEN: In terms of the larger partnership that NIP is working toward establishing, and in light of what we've been talking about, isn't it possible that simple human nature creates a potential for turbulence between two powerful public figures that may shake or shatter that partnership, despite everyone's best intentions?

COOKE: Oh, yes. We all know of cities where that happens. I can think of one in particular, Los Angeles, where you have two public figures and it appears that the police chief does his own thing in spite of what the

Interview: NIP chairman Thomas Cooke

mayor wants. I don't believe in that I think you can do your job and be a professional without being so obvious that you're not following the lead of the chief executive of the city. But that situation can happen just about any place. It depends on the individuals involved. There are some people that are egomaniacs, be they police chiefs or mayors or whomever, and if their actions and better judgment are overtaken by the egomaniac part of their psyche, then that's what you're going to have prevail, and nobody benefits.

LEN: Notwithstanding the relative youth of NIP as an organization, could you speculate as to whether it's likely to have greater benefit over the long run for political leaders or for police leaders?

COOKE: Basically, I think that what will happen as a result of NIP is that the cities will be better served by both the chief professional in the police department and the chief executive of the city, because really what we're doing in the NIP is to bring mayors and police chiefs to the discussion and seminar table for an exchange of ideas about mutual problems and mutual solutions and mutual objectives. This has never really happened before, except on a very limited basis. Several years ago we decided that we were going to do something on a national level, and so far it seems that we've had more pluses than we've had minuses. More pluses because every time we run a seminar, we find that there's an increased number of mayors participating. We've always had the participation of the chiefs, but they basically participated in the International Association of Chiefs of Police, as opposed to the National Institute of Policing. When we can pull them together in a seminar to share problems, objectives and solutions, we can't help but build a better relationship.

LEN: One issue on which it would seem police chiefs and local elected officials could readily agree would be the whole matter of interacting with the Federal Government. While your organization has conceded that crime is a local problem and the response to it should be largely a local one, nonetheless you've also called on the assistance of the Federal Government in a few key areas, such as narcotics enforcement. Is that to say that the Federal effort up until now has left something to be desired?

COOKE: I think so. Drug trafficking is a national and international problem. There's no way that the locals can resolve it. The only thing that we can do, basically, is to make a hit on some of the local pushers and perhaps some of the local backers at a much more irregular basis than we do on the local pushers. We're not able to dry up the foreign sources where many of them are using the argument that drug production is one of the few economic measures by which they're able to make it. I think that's ludicrous, because all they're doing is killing us without actually coming on shore with their troops. That's why I think it's a national and international problem.

We endorse the use of our military forces, but we didn't limit it to military forces for trying to curb the drug trade. I think we ought to use our military forces to their fullest to cut it out. I think they need to relax the laws to the extent that our drug enforcement people, our border patrol people and whatever ought to be able to take into custody anybody and everybody that's trying to push that stuff across our borders, and we ought to start utilizing some of the same measures that some of these foreign countries do. If they catch you trafficking in that stuff, buddy, you're going in the dungeon forever. I'm sick of 'em, because those son-of-a-guns are getting that crap into our cities and we don't have to worry about a nuclear holocaust; we already have a drug holocaust. We don't have to worry about having our shores invaded by weaponry; it's already been invaded by drugs. Once we know who these jokers are, if they're not going to stop importing that stuff to our shores and insisting on getting it here to help kill this country and its people, then I think our diplomatic relationships with these countries ought to change. We ought to stop assisting them to kill us, by using economic aid, food aid, whatever, and let them start growing some crops that can help ease their problems without having to traffic in drugs. That's why we need the Federal Government to utilize every available resource we have to cut it out.

LEN: Have you seen anything lately that offers new reason for hope that the Federal tone will change on this issue, as far as bringing more military and diplomatic weight to bear on the problem?

COOKE: The thing that I have seen, really, is the fact that since we have taken the position that we want to see our military utilized to stem the flow of drugs, there are other groups and other national elected officials taking up the position that, yes, we should utilize the military and other means of economic sanctions to cut this problem. So that, to me, is a ray of hope that did not exist two years ago, and I believe that the vast majority of us are now beginning to speak out a lot more. I know that my Congressman feels that way, and I know that there are others who have spoken in reference to that, and Congressman Hughes and Senator Specter are pushing for an increase in funding for justice assistance programs. I support those programs and those efforts, and I think that if we are not able to protect and provide the kind of environment in which our citizens feel good about themselves and their lifestyles, we're all going to go down the drain.

LEN: When the new proposed Federal budget came out recently, there were a number of provisions involving cuts in local aid of various types. As you see it, how dramatically will those proposed cuts affect local criminal justice efforts?

COOKE: They would be dramatic as they are currently

receive, that he won't be in a position to really make a decision about the association with the institute. But I'm sort of hoping that the lines of communication and cooperation will remain open, and even expand.

LEN: Presumably the U.S. Conference of Mayors has given its assurance of ongoing interest and participation in — and sponsorship of — the National Institute of Policing?

COOKE: Oh yeah. It's now a Conference of Mayors affiliate, so we expect that it will continue to grow and work in conjunction with the Human Development Committee and the Police Foundation and the National Institute of Justice. We're just going to have to address the everyday problems, and this offers us another vehicle to do that.

LEN: Is there a specific agenda that you are tackling item by item, or is it a more fluid kind of proposition based on the passing concerns of members of the Conference of Mayors?

COOKE: At our seminars we ask for suggestions for developing the program, and we pursue that to the extent that we come up with some resolutions to address concerns and make recommendations for study or implementation at the local level, by whatever department wants to get into that. So it remains rather fluid, but we just don't leave it hanging out. We try to come up with some final recommendations that we make to various groups, and when it comes to the lobbying effort ultimately it gets back to the Conference of Mayors and the Foundation and the National Institute of Justice to do the actual lobbying. We just try to put it all together through the institute.

LEN: Was your selection as the first chairman of NIP based on any particular factors, such as, perhaps, the demographics of East Orange, which is an industrialized, old-line, Northeastern city, one that has faced some hard economic times?

COOKE: Basically, I think what happened is that they pretty well know I'm an active mayor who participates actively with my police department, and the fact that I just happen to be a part of the Human Development Committee of the Conference of Mayors. Now, mayors don't generally go out to look for additional things to do, but I have a strong interest because the fear of crime and public safety issues do have a very definite impact on my economic development activities and the educational reputation of this city. I will do whatever is necessary, within reason, to make sure people have the right impressions about this city and the interests of its elected officials, in order to be the best city in the country. Essentially, that might have been why I was asked to serve as chairman and convene the first meeting of NIP.

LEN: How has your involvement in NIP affected your own police department? For example, has your police chief perhaps breathed a sigh of relief that the working partnership envisioned by NIP, coupled with your chairmanship of the organization, makes his job a little more secure?

COOKE [laughs]: The only thing I can say is that I've had him participating with me because that's really what it's all about. It makes me feel good to have him go there and explain to other police chiefs what we're doing to deal with crime. For example, I started a truancy program in the city, and that program resulted in a 15 percent decrease in truancy in the schools, a 15 percent increase in attendance and a 45 percent decrease in crime in the streets, muggings, purse-snatchings, that sort of thing. Then we went from that to using the police for extra drug enforcement efforts in and around our schools, and we were able to clean that up. As of late, we recognized the problem again, so the drug enforcement squad, i.e. the truancy squad, has been reactivated. These are the kinds of things that just make for a better relationship, because when we started we established those programs through a cooperative effort of the police department, the board of education, the PTA, the student leaders and the mayor's office. We all agreed that that's what we should do. That's why I feel good about things.

"We ought to start utilizing some of the same [anti-drug] measures that foreign countries do. If they catch you trafficking in that stuff, buddy, you're going in the dungeon forever."

proposed. What the mayors have done most recently is to take a position in opposition to any further cuts in any programs. However, we would support a freeze in all Federal spending, including defense spending, and an increase in corporate taxes for the expressed purpose of establishing a fund to help eliminate the deficit. And when I say an increase in taxes, I want to be specific that we mean business taxes — not personal income taxes. That's going to be our vehicle for trying to make sure that all of the sacred cows, as well as the elimination of the deficit, are addressed. So those are the areas we'll be working on to try and make sure our efforts on crime will not be curtailed to any great extent in the coming year.

LEN: Just to clarify one point, do I presume that the National Institute of Policing is not specifically intended to be, say, a lobbying effort or a research endowment? I take it that you're more of a "networking" arrangement between the U.S. Conference of Mayors and the police chiefs of this country.

COOKE: We're going to be doing some lobbying to some extent, but primarily not as the National Institute of Policing. It's basically as you've indicated — a networking organization — and a think tank, so to speak, with the expressed purpose of updating and exchanging information that may be beneficial to crime-fighting efforts at the least possible cost.

LEN: Have you gotten any reassurance that the change of leadership at the Police Foundation will not imply any change in commitment to NIP?

COOKE: I haven't had the opportunity to get into an extended conversation with Hubert Williams yet, however I'm of the opinion that until he really finds which way the foundation will go and the kind of funding it will

Law enforcement's new wave: volunteerism

Continued from Page 7
fallen by the wayside. We consider only people who have been trained and have powers of arrest as reserve law officers."

The AARP's count includes 40,000 young men and women in Law Enforcement Exploring, as well as 12,000 volunteers Nash found in the 24 cities he and his staff visited. "So we had at least 400,000 volunteers we were firm on," he said. He noted that the total does not include volunteers from New York and Los Angeles, both of which have extensive reserve programs. "We think that, if anything, our 600,000 estimate is low," he declared.

About 10 percent of the volunteers are captains of neighborhood watches, but only those who led the programs were

counted. Other volunteers were found doing such chores as coordinating crime prevention and victim-assistance programs, doing clerical chores around police headquarters and maintaining police equipment.

Police unions tend to be leery of volunteers, although Nash said that, by and large, volunteers are eventually accepted by regular officers. But it's important, he added, that volunteers are carefully screened and that supervisors are willing to "fire" volunteers who don't keep their commitments to the police agency.

David Baker, secretary-treasurer of the International Union of Police Associations, said the IUPA has not taken an official position on volunteers. But, he said, "Our thinking is that for

emergency situations — civil disturbances and natural disasters — auxiliaries and reserves are fine to augment a professional force. When reserves are used, as they often are, to supplement professional officers in lieu of paying overtime, then we have a problem with it." He added that the IUPA supports neighborhood watches and similar crime prevention efforts, which are manned mostly by volunteers.

The AARP calculates that volunteers in law enforcement provide services worth \$374 million a year, based on the \$8-per-hour value placed on a volunteer's time by "Volunteer — The National Center." That doesn't mean that taxpayers save that amount, Bernard Nash pointed out, because some of the

work would not be done if volunteers didn't do it. However, it's clear that in some areas volunteers do in fact save taxes. For example, Sheriff Jerry Hill of Maricopa County, Ariz., told the AARP: "My department has under 1,000 personnel. We are able to maintain services only because we have 2,000 trained volunteers as special deputies. They function in 28 different programs and cost the taxpayers the equivalent of only three full-time staff. They purchase their own uniforms and equipment."

Sheriff Hill's department is atypical in having twice as many volunteers as sworn officers. But one-third of the police executives who responded to the AARP questionnaire predicted an increase in the use of volunteers due

to budget constraints and the public's demand for services, so the Maricopa volunteer force may be the wave of the future.

(*Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 651 Colonial Blvd., Washington Twp., Westwood P.O., NJ 07675.*)

On The Record:

"If you think that you can think about a thing, inextricably attached to something else, without thinking of the thing it is attached to, then you have a legal mind."

— Thomas Reed Powell

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Supreme Court looks at secret prison gang

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receive favorable treatment from the government. The prosecutor in turn disclosed that he intended to discredit Mills' testimony by calling Ehle back to the stand and eliciting from Ehle the fact that respondent, Mills and Ehle were all members the Aryan Brotherhood, a secret prison gang that required its members always to deny the existence of the organization and to commit perjury, theft and murder on each member's behalf.

Defense Counsel objected to Ehle's proffered rebuttal testimony as too prejudicial to the respondent. After a lengthy discussion in chambers, the District Court decided to permit the prosecutor to cross-examine Mills about the gang, and if Mills denied knowledge of the gang, to introduce Ehle's rebuttal testimony concerning the tenets of the gang and Mills' and respondent's membership in it. The District Court held that the probative value of Ehle's rebuttal testimony outweighed its prejudicial effect.

At trial Ehle implicated respondent as a participant in the robbery. Mills, called by respondent, testified that Ehle told him in

prison that Ehle planned to implicate respondent falsely. When the prosecutor sought to cross-examine Mills concerning membership in the prison gang, the District Court conferred again with counsel outside of the jury's presence, and ordered the prosecutor not to use the term "Aryan Brotherhood" because it was unduly prejudicial. Accordingly, the prosecutor asked Mills if he and respondent were members of a "secret type of prison organization" which had a creed requiring members to deny its existence and lie for each other. When Mills denied knowledge of such an organization the prosecutor recalled Ehle to the stand.

Ehle testified that respondent, Mills and he were indeed members of a secret prison organization whose tenets required members to deny its existence and to "lie, cheat, steal [and] kill" to protect each other. The District Court sustained a defense objection to a question concerning the punishment for violating the organization's rules. Ehle then further described the organization and testified that "in view of the fact of how close Abel and Mills were" if would

have been "suicide" for Ehle to have told Mills what Mills attributed to him.

The jury convicted respondent. On appeal, a divided Court of Appeals reversed, holding that Ehle's rebuttal testimony was admitted not just to show that respondent's and Mills' membership in the same group might cause Mills to color his testimony. The court held that the contested evidence was also admitted to show that because Mills belonged to a perjurious organization, he must be lying on the stand. This suggestion of perjury, based upon a group tenet, was impermissible, the court said, reasoning:

"It is settled law that the government may not convict an individual merely for belonging to an organization that advocates illegal activity (*Scales v. United States*, 367 U.S. 203, 219-24...; *Brandenburg v. Ohio*, 395 U.S. 444...). Rather, the government must show that the individual knows of and personally accepts the tenets of the organization. Neither should the government be allowed to impeach on the grounds of mere membership, since membership, without more, has no probative value. It establishes nothing about the in-

dividual's own actions, beliefs, or veracity" 707 F. 2d 1013, 1016 (1983) (citations omitted).

Upholding Rebuttal Testimony

In an opinion written by Justice Rehnquist for a unanimous Supreme Court, the rebuttal testimony was upheld. The Court held that the evidence showing Mills' and respondent's membership in the prison gang was sufficiently probative of Mills' possible bias toward respondent to warrant its admission into evidence. Thus, it was within the District Court's discretion to admit Ehle's testimony, and the Court of Appeals was wrong in concluding otherwise.

As the Court noted: "Ehle's testimony about the prison gang certainly made the existence of Mills' bias towards respondent more probable. Thus it was relevant to support that inference. Bias is a term used in the 'common law of evidence' to describe the relationship between a party and a witness which might lead the witness to slant, unconsciously or otherwise, his testimony in favor or against a party. Bias may be induced by a witness' like, dislike, or fear of a party, or by the witness' self-interest. Proof of bias is almost always relevant

because the jury, as finder of fact and weigher of credibility, has historically been entitled to assess all evidence which might bear on the accuracy and truth of a witness' testimony. The 'common law of evidence' allowed the showing of bias by extrinsic evidence, while requiring the cross-examiner to 'take the answer of the witness' with respect to less favored forms of impeachment. See generally, *McCormick on Evidence*, *supra*, Section 40, at 89; *Hale, Bias as Affecting Credibility*, 1 *Hastings L.J.* 1 (1949).

"Mills' and respondent's membership in the Aryan Brotherhood supported the inference that Mills' testimony was slanted or perhaps fabricated in respondent's favor. A witness' and a party's common membership in an organization, even without proof that the witness or party has personally adopted its tenets, is certainly probative of bias." (*United States v. Abel*, 83-955.)

(*Jonah Triebwasser is a former police officer and investigator who is now a trial attorney in government practice.*)

DWI tests get a onceover from IPTM students

Continued from Page 1
really been challenged that much.

"I hate to say this," he continued, "but we caught most of our defense attorneys with their pants down."

The test has been challenged in California, however, where it was first adopted for law enforcement use. Sgt. Philip Johns of the Pompano Beach, Fla., Police Depart-

ment speculated that the test may be hard to apply in the courts because it's so new.

"You get a judge and start telling him that by looking in the eyes of a person you can tell whether he's drunk or not, if the judge has never heard of it or seen it done before, he's going to say, 'Oh yeah, I suppose you want to sell me some swamp land!'"

Johns said he didn't believe it himself until he saw it done. "It made a believer out of me," he confessed.

The Massachusetts State Supreme Court has ruled that the test is constitutional, and the test has been in practice in that state for a little over a year. Sgt. William Mann of the Massachusetts State Patrol said the only challenge to the test is the officer's credibility.

"We strongly recommend that officers use the Horizontal Gaze Nystagmus test as a screening tool only," Mann said, "unless they have documented their proficiency over long periods of use, say 50 to 100 tests and they've been guesstimating BAC levels all along."

The Florida state task force created in response to the findings of officers involved in the staff studies consists of represen-

tatives from the Florida Police Chiefs' Association and Sheriffs' Association, along with members of the state's Bureau of Public Safety Management, Highway Patrol and Bureau of Criminal Justice Standards and Training, and an associate of the Institute of Police Traffic Management.

The group met for a week in mid-March to develop a model policy statement on standardized field sobriety testing.

DEA agent's death stirs border brouhaha

Continued from Page 3

against U.S. Customs Service agents. The threats are believed to be linked to the increased pace of the investigations into Mexico's drug trade since the abduction of Camarena, according to U.S. Embassy officials and the Customs Service.

According to Dennis Murphey, a Customs Service spokesman, the border stations were shut because "we just couldn't adequately secure them" without spending "an exorbitant amount of money." Customs Service officers have also been instructed to wear their weapons off-duty as well as on.

The U.S. Ambassador to Mexico, John Gavin, has voiced concern that if the Mexican Government does not step up its drug-enforcement efforts, traffickers from Colombia and other South American countries would soon

be "relocating and intensifying their efforts in other countries, including Mexico."

Gavin added that the car-by-car search at the Mexican border was a reaction by the U.S. to what was seen as a "lack of vigor" by Mexican authorities.

According to the Ambassador, Mexico is "on the doorstep" of discovering that narcotics can become a national problem for its own people as well as an international problem.

Mexican officials, on the other hand, were reportedly insulted by Gavin's remarks and feel that the U.S. has taken unduly hostile actions against Mexico. Among the major bones of contention is President Reagan's proposal to stop buying 50,000 barrels of oil a day from Mexico for the national strategic reserve, at a time when Mexico is in desperate need of foreign exchange.

Continued from Page 8
tronic data-processing crimes by the American Institute of Certified Public Accountants found that the majority of these offenses had been committed by insiders. Many of these were supervisory-level personnel.

The law enforcement community has also failed to keep abreast of these computer-related crimes. Presently, only the FBI has an ongoing computer crime training program. However, fewer than 400 Federal and local agents have graduated from the program since its inception in 1976; there is a two-year waiting list. This is hardly sufficient to meet the demands of a cashless society.

Whereas half of the states have enacted computer-crime laws, the Federal Government has yet to take such a step — this despite

the fact that many of these offenses involve interstate and foreign commerce, a province of the Federal Government. As a recent Justice Department study noted, "Existing laws do not, in many instances, directly address the unique elements of EFTS crimes."

We live in the dawn of the

cashless society. Our paper currency and checking systems are giving way to electronic blips. Yet while these automated payment systems have proven to be open to criminal attack, both the private and public sector have yet to take the needed steps to safeguard them.

The criminal has a bright future in cashless America.

New York Institute of Security and Polygraph Sciences

Polygraph Training Course

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For information, call:
John Fitzgerald,
(212) 344-2626.

Coming up in Law Enforcement News:

What does the FBI have in store for the National Crime Information Center?

Jobs

Police Training Position. The Georgia Police Academy is accepting resumes for a new position in major case studies. Employment is dependent upon legislative approval of funds.

The person hired for the position will instruct and supervise a series of courses designed to develop law enforcement and prosecutorial personnel in the investigation of major criminal cases.

Emphasis will be placed upon the individual's experience in major case investigations. Pending funding, final interviews will be held during the first two weeks of June, with employment to be effective on August 1, 1985. A background investigation, including polygraph test, will be required.

To apply, send resumes to: Rankin Thomas, Director of Administrative Services, Georgia Police Academy, 959 East Confederate Avenue, Atlanta, GA 30316. For additional information, contact the above at (404) 656-6105.

Criminal Justice/Public Administration. The University of Wisconsin at Oshkosh is seeking to fill a tenure-track position in its

criminal justice program. Rank is open, depending on qualifications.

A Ph.D. or comparable level of experience in a criminal justice-related field is preferred. Background in criminal justice program administration and established teaching experience desirable. Preference given to a person with competence in several of the following areas: criminal justice administration; criminal justice policy analysis; public sector management information systems; legal aspects of criminal justice; corrections, and related courses in criminal justice and public administration.

The program also has a second tenure-track vacancy, with appointment at the instructor or assistant professor level, depending on qualifications. Minimum qualifications the same as above.

To apply for either position, send letters of application, vita, transcripts and three letters of recommendation to: Dr. Willard E. Smith, Chairman, Department of Political Science, University of Wisconsin, Oshkosh, WI 54901. An equal opportunity/affirmative action institution.

Assistant Professor, Criminal Justice. Sul Ross State University has extended its search for a candidate to fill a tenure-track faculty position beginning fall 1985.

Requirements include an earned doctorate in criminal justice, criminology, sociology or a closely related field with undergraduate degree in criminal justice. Experience in criminal justice field preferred.

Competitive salary based on preparation and experience, excellent benefits including retirement, Social Security and insurance. Responsibilities include teaching a wide range of criminal justice courses, serving on committees, advising students and assisting with departmental activities.

Submit letter of application, resume, official transcripts and three letters of recommendation before April 1, 1985, to: Sul Ross State University, Personnel Office, Box C-13, Alpine, TX 79832. An equal opportunity/affirmative action employer.

Deputy Sheriff (Patrol Division). The Sarasota County, Fla., Sheriff's Department is seeking new deputies.

Applicants without police experience must have an associate's degree or the equivalent; with experience, 30 semester hours are required. In addition, applicants must have vision of 20/100 uncorrected, correctable to 20/20; age limit 32, or 35 with acceptable experience. Screening process includes successful completion of written exam, strength and endurance test, polygraph and oral board.

Annual salary range is from \$14,592 to \$20,478, plus educational incentive monies, depending on experience. Estimated time to maximum salary three to twelve months, depending on experience. Benefits include paid vacation, sick leave, group medical and dental insurance, life insurance, Florida State Retirement System and permanent shifts.

To apply, send resume or contact: Personnel Intake, Sarasota

County Sheriff's Department, P.O. Box 4115, Sarasota, FL 33578. Telephone: (813) 366-9360.

Assistant or Associate Professor of Criminal Justice. Bemidji State University has an anticipated tenure-track probationary appointment to begin September 3, 1985. Initial salary \$19,048-\$27,716 based on qualifications and experience.

This position involves teaching some core courses in the criminal justice curriculum, and also involves internship supervision. This person may also be expected to assume the role of coordinator of the program. Student advising and participation in university and community services/activities are expected.

A Ph.D. in criminal justice or closely related discipline is preferred. Public law enforcement experience is required. A person with a master's degree and ABD with professional and/or teaching experience will be considered. Completion of the doctorate will be necessary for tenure consideration.

Send letter of application, resume, official transcripts from all colleges or universities attended, and three (3) current letters of reference sent directly by referents to: Dr. Lewis J. Downing, Dean, Social and Behavioral Sciences, Bemidji State University, Bemidji, MN 56601, by April 15, 1985. An equal opportunity/affirmative action employer.

In addition to serving as Deputy to the President, the Vice President for Academic Affairs is responsible for the day-to-day academic administration and for academic planning. The position is a vital and crucial one for furthering faculty development and curricular excellence and innovation.

The position requires an individual who will address the challenges and opportunities of this special purpose college with enthusiasm and creativity. Comprehensive and imaginative academic leadership, scholarly achievement, college teaching experience and an earned doctorate are essential.

The deadline for the receipt of letters of application with curriculum vitae and of nominations is March 31, 1985.

Correspondence should be sent to: Ms. Patricia Maull, Secretary to the Search Committee, John Jay College of Criminal Justice, The City University of New York, 444 West 56th Street, New York, NY 10019. An equal opportunity/affirmative action employer.

Northern Michigan University invites applications for the position of:

Assistant Professor Department of Criminal Justice

Northern Michigan University is a public regional state university of 8,000 students and 900 employees located in Michigan's beautiful Upper Peninsula on the shore of Lake Superior.

Responsibilities: Primary responsibility for the Professional Law Enforcement Program including teaching, advising and other professional responsibilities.

Minimum Qualifications: Applicants with a Master's degree in Criminal Justice and a minimum of five (5) years relevant experience will be seriously considered for a two-year term appointment.

Desired Qualifications: Doctorate in Criminal Justice or related discipline with relevant experience is required for a tenure-earning appointment.

Salary: Competitive and dependent upon qualifications.

Deadline: Applications and nominations should be sent no later than April 19, 1985, to:

Robert W. Barrington,
Department Head
Department of Criminal Justice
Northern Michigan University
323 Carey Hall
Marquette, Michigan 49855

It is expected that this position is to be filled no later than May 7, 1985.

An Affirmative Action/Equal Opportunity Employer.

Vicinage Chief Probation Officer Superior Court of New Jersey, Hudson County

Under the direction of the Assignment Judge and where appropriate, the Trial Court Administrator, controls, directs, supervises and is responsible for the proper performance of the work of the Probation Department in the vicinage, and the enforcement of applicable statutes, court rules and judicial policies; does related work as required. Requirements: bachelor's degree in social or behavioral sciences and seven years of experience as a probation officer, four of which have been in an administrative or supervisory capacity. Note: possession of a master's degree in either psychology, sociology, corrections, criminal justice, criminology, penology, social work or public administration may be substituted for one year of the above non-supervisory work experience. Salary range is \$35,000-\$45,000 annually. Submit resume by April 29, 1985, to John A. Clarke, Trial Court Administrator, Administration Building, Room 403, 595 Newark Avenue, Jersey City, New Jersey 07306.

Attention... Attention... Attention...

Criminal Justice Seminar Series

Deadly Physical Force and the Police: The Legal, Moral and Social Implications

Monday, April 22, 1985
9 A.M. - 5 P.M.

The Holiday Inn
Route 70 & Sayer Avenue, Cherry Hill, N.J.

Seminar Leader:
James J. Fyfe, Ph.D.
Professor, American University, Washington, D.C.

Organized Crime and the New Generation of Law Enforcement

Monday, May 6, 1985
9 A.M. - 5 P.M.

The Holiday Inn
Route 70 & Sayer Avenue, Cherry Hill, N.J.

Seminar Leader:
Charles H. Rogovin
Professor, Temple University Law School

Cost: \$100 for each seminar (students with ID, half price)

Discussion Issues:

Deadly Physical Force	Organized Crime
✓ Civil Liability	✓ The Myth & The Reality
✓ Administrative Safeguards	✓ Organized Crime vs.
✓ "Off-Duty" Weapons	✓ Vice Enforcement
✓ Typology of Police Shootings	✓ Intelligence Gathering
✓ Racial Variations	✓ The Impact of RICO
✓ Early Warning Systems	✓ The Task Force Approach to Combating Organized Crime

For further information, contact:

Webb Consultants Inc.
3273 Teesdale Street, Basement Suite
Philadelphia, PA 19136
(215) 331-0645

Upcoming Events

MAY

1. Executive Institute for Suburban Chiefs. Sponsored by the Traffic Institute. Fee: \$330.
- 1-2. Terrorism in the 1980's. Presented by Richard W. Kobetz and Associates Ltd. Fee: \$350.
- 1-3. Crime Prevention for Administrators. Presented by the National Crime Prevention Institute. Fee: \$250.
- 1-3. Police Media Relations. Sponsored by the Institute of Police Traffic Management. Fee: \$275.
3. Use of Deadly Force. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$60.
6. Use of the PR-24 Monadnock Baton. Presented by the Criminal Justice Center Police Academy, Sam Houston State University. Fee: \$30.
- 6-10. Police Executive Development Seminar. Sponsored by the Institute of Police Traffic Management. Fee: \$295.
- 6-10. Surveillance Optics. Presented by the National Intelligence Academy. Fee: \$695.
- 6-10. Marine Patrol Techniques. Sponsored by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 6-10. Investigation of Child Abuse, Missing Children and Sexual Exploitation. Presented by the Broward County Criminal Justice Institute in conjunction with the International Association of Chiefs of Police. To be held in Fort Lauderdale, Fla. Fee: \$425.
- 6-10. Automated Crime Analysis. Presented by the Institute of Police Traffic Management. Fee: \$425.
- 6-17. Traffic Accident Reconstruction. Presented by the Institute of Police Traffic Management. Fee: \$550.
- 6-17. Middle Management. Presented by the Florida Institute for Law Enforcement. To be held in St. Petersburg. Fee: \$125.
- 6-17. Firearms Instructor Course. Presented by the Georgia Police Academy. To be held in Atlanta.
- 6-17. At-Scene Accident Investigation. Presented by the Traffic Institute. Fee: \$550.
- 6-17. Crime Prevention Technology and

Programming. Presented by the National Crime Prevention Institute. Fee: \$550.

6-17. Expanding Potential through Excellence in Training. Presented by the Police Executive Development Institute (POLEX), Pennsylvania State University. Fee: \$695.

7-8. High Risk Incident Management. Presented by the Traffic Institute. Fee: \$175.

7-9. Arson Investigation. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$150.

7-9. Police Control and Restraint Techniques Instructor Course. Presented by the Criminal Justice Center Police Academy, Sam Houston State University. Fee: \$195.

7-9. Hostage Recovery and Debriefing: Correctional Facilities. Sponsored by Pennsylvania State University, College of Human Development. Fee: \$270.

8-10. POLEX Legal Forum. Sponsored by the Police Executive Development Institute. To be held in University Park, Pa. Fee: \$195.

8-10. Annual Conference. Sponsored by Region I, Correctional Education Association. To be held in McAfee, N.J. Contact: Mary Ann Salvatore, Youth Correctional Institute, Annandale, N.J.

8-10. Supervisory Principles for Communication Center Personnel. Sponsored by the University of Delaware, Division of Continuing Education. Fee: \$325.

9. Credit Card Crime and Fraud. Presented by the University of Delaware, Division of Continuing Education. Fee: \$195.

12-15. Annual Conference. Sponsored by Region III, Correctional Educational Association. To be held in Lansing Mich. Contact: Wil Laubach, 2650 Fairway Drive, Jackson, MI 49201. Tel.: (517) 750-3591.

13-14. Computer Crime: Detection and Investigation. Presented by the University of Delaware, Division of Continuing Education. Fee: \$350.

13-17. Advanced Accident Investigation. Presented by the Georgia Police Academy. To be held in Atlanta.

13-17. Industrial Counterespionage Techniques. Sponsored by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.

13-17. Latent Fingerprinting. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$100.

13-17. Field Training Officer Program. Presented by the Traffic Institute. Fee: \$330.

13-17. Planning Officers Seminar. Presented by the Institute of Police Traffic Management. Fee: \$295.

13-17. Video Operations. Presented by the National Intelligence Academy. Fee: \$695.

13-17. Seminar for the Field Training Officer. Presented by the Institute of Police Traffic Management. Fee: \$325.

13-17. Labor-Management Practices. Presented by the New England Institute of Law Enforcement Management. To be held in Wellesley, Mass.

15-16. Video Security Systems. Presented by the University of Delaware, Division of Continuing Education. Fee: \$375.

15-17. Annual Conference on Crime Victims. Sponsored by the Virginia Network for Victims and Witnesses. To be held in Lynchburg, Va. Fee: \$50 (members), \$60 (non-members).

16-17. Psychological Screening for Entry-Level Police Officers. Presented by the Institute of Police Traffic Management. Fee: \$250.

17. Legal Aspects of Private Security. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$60.

20-21. Physical Security for Health-Care Facilities. Presented by the International Association for Hospital Security. To be held in New York City.

20-21. National Seminar on Serial Murder. Presented by the School of Justice Administration, University of Louisville. To be held in Hilton Head, S.C. Fee: \$275.

20-21. Fire Safety in Health-Care Institutions. Presented by the International Association for Hospital Security. To be held in New York City.

20-22. Terrorism in the 80's. Presented by the Broward County Criminal Justice Institute in conjunction with the Institute of Police Traffic Management. No fee.

20-22. Professional Polygraph Seminar. Presented by the National Center of Polygraph Science. To be held in New York

City. Fee: \$125.

20-22. Population Impact Analysis. Presented by the Institute of Police Traffic Management. Fee: \$250.

20-24. Police Supervisor In-Service Training Institute. Presented by the Pennsylvania State University. Fee: \$310.

20-24. Field Officer Training Program. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.

20-24. Workshop for the Police Training Officer. Presented by the Institute of Police Traffic Management. Fee: \$295.

20-31. Technical Accident Investigation. Presented by the Traffic Institute. Fee: \$500.

21-23. Legal Liability of Police Administrators. Presented by the Traffic Institute. Fee: \$330.

22-24. Police Work with Juveniles. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$150.

22-24. Crime Scene Processing. Presented by the Georgia Police Academy. To be held in Atlanta.

23-24. Officer Street Survival. Presented by the Broward County Criminal Justice Institute in conjunction with the Institute of Police Traffic Management. No fee.

27-28. Officer Survival. Presented by the Kent State Police Training Academy. Fee: \$55.

27-31. Hypnosis and the Law. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.

27-31. Interview and Interrogation. Presented by the Florida Institute for Law Enforcement. To be held in St. Petersburg. Fee: \$125.

28-31. Executive Seminar. Presented by the National Intelligence Academy. To be held in Fort Lauderdale, Fla. No fee.

29. Improving Productivity. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$60.

30-31. Hostage Negotiations. Presented by Richard W. Kobetz & Associates Ltd. Fee: \$350.

30-31. Computers in Law Enforcement. Presented by the Center for Criminal

Justice, Cass Western Reserve University. Fee: \$100.

JUNE

3. High Risk Warrant Service. Presented by the Traffic Institute. Fee: \$95.

3-4. Street Survival Seminar. Presented by Calibre Press. To be held in El Paso, Tex. Fee: \$65.

3-4. Legal Aspects of Discipline. Presented by the Center for Criminal Justice, Case Western Reserve University. To be held in Columbus, Ohio. Fee: \$150.

3-4. Operational Intelligence. Presented by Richard W. Kobetz & Associates Ltd. Fee: \$350.

3-6. Security Management. Presented by the Broward County Criminal Justice Institute. To be held in Fort Lauderdale, Fla. Fee: \$15.

3-7. Management of Internal Affairs. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.

3-7. Vehicle Dynamics. Presented by the Traffic Institute. Fee: \$350.

3-7. Counterterrorism and Hostage Rescue. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.

3-7. Investigators' Usage of the Personal Computer. Presented by the University of Delaware, Division of Continuing Education. Fee: \$695.

3-7. Specialized Patrol Techniques. Presented by the Georgia Police Academy. To be held in Atlanta.

3-7. Psychology and the Law. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.

3-7. Monitor Under Microcomputer. Presented by the Florida Institute for Law Enforcement. To be held in St. Petersburg. Fee: \$125.

3-7. Police Baton Instructor Course. Presented by the Georgia Police Academy. To be held in Atlanta. Fee: \$225.

3-14. Crime Prevention Technology and Programming. Presented by the National Crime Prevention Institute. Fee: \$550.

3-18. Advanced Correctional Operations. Presented by the Broward County Criminal Justice Institute. To be held in Fort Lauderdale, Fla. Fee: \$150.

Directory of Training Sources Listed

ANACAPA Sciences Inc., Law Enforcement Programs, Drawer Q, Santa Barbara, CA 93102

Association of Police Planning and Research Officers, c/o Capt. Stan Carter, Sarasota Police Department, P.O. Box 3528, Sarasota, FL 33578. Tel.: (813) 366-8000.

Broward County Criminal Justice Institute, Broward Community College, 3501 S.W. Davie Road, Ft. Lauderdale, FL 33314. (305) 475-6790.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062

California Gang Investigators Association, P.O. Box 54182, Los Angeles, CA 90054.

Center for Criminal Justice, Case Western Reserve University, Cleveland, OH 44106. Tel.: (216) 368-3308.

Criminal Justice Center, John Jay College of Criminal Justice, 444 West 56th Street, New York, NY 10019. Tel.: (212) 247-1600

Criminal Justice Training Center, Modesto Junior College, 2201 Blue Gum Avenue, P.O. Box 4065, Modesto, CA 95352. Tel.: (209) 575-6487.

Criminal Justice Training and Education Center, Attn: Ms. Jeanne L. Klein, 945 S. Detroit Avenue, Toledo, OH 43614. Tel.: (419) 382-5665.

Florida Institute for Law Enforcement, St. Petersburg Junior College, P.O. Box 13489, St. Petersburg, FL 33733.

Georgia Police Academy, 959 E. Con-

Hocking Technical College, Special Events Office, Nelsonville, OH 45764. (614) 753-3591, ext. 319.

Institute of Police Traffic Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216

Institute of Public Service, Brenau Professional Colleges, Gainesville, GA 30501-3697.

International Association of Chiefs of Police, 13 Firstfield Road, Gaithersburg, MD 20878. Tel.: (301) 948-0922.

International Association for Hospital Security, P.O. Box 637, Lombard, IL 60148. Tel.: (302) 953-0990.

Kent State Police Training Academy, Stockdale Safety Building, Kent, OH 44242. Telephone: (216) 672-3070.

Milwaukee Area Technical College, 1015 North Sixth Street, Milwaukee, Wis. 53203.

MIS Training Institute, 4 Brewster Road, Framingham, MA 01701. Tel.: (617) 879-7999.

Narcotic Enforcement Officers Association, P.O. Box 999, Darien, CT 06820. Tel.: (203) 655-2906.

National Crime Prevention Institute, School of Justice Administration, University of Louisville, Louisville, KY 40292.

National Intelligence Academy, Attn: David D. Barrett, 1300 Northwest 62nd Street, Ft. Lauderdale, FL 33309. Telephone: (305) 776-5500.

National Police Institute, 405 Humphreys Building, Central Missouri State University, Warrensburg, MO 64093-5119.

National Sheriffs' Association, 1450 Duke Street, Alexandria, VA 22314. Tel.: 1-800-424-7827.

National Training Center of Polygraph Science, 200 W. 57th Street, Suite 1400, New York, NY 10019. Tel.: (212) 755-5241.

New England Institute of Law Enforcement Management, Babson College, Drawer E, Babson Park, MA 02157.

Pennsylvania State University, McKeesport Campus, Continuing Education Department, University Drivs, McKeesport, PA 15132. Tel.: (412) 678-9501.

Pennsylvania State University, S-159 Human Development Bldg., University Park, PA 16802

Police Executive Development Institute (POLEX), The Pennsylvania State University, S159 Human Development Building, University Park, PA 16802. Tel.: (814) 863-0262.

Richard W. Kohetz and Associates, North Mountain Pines Training Center, Arcadia Manor, Route Two, Box 100, Berryville, VA 22611. Tel.: (703) 955-1128 (24-hour desk).

Sam Houston State University, Criminal Justice Center Police Academy, Box 2296, Huntsville, TX 77341.

Sirchie Finger Print Laboratories, Criminalistics Training Center, 114 Triangle Drive, P.O. Box 30576, Raleigh, NC 27622.

Southern Police Institute, Attn: Ms. Shirley Beck, University of Louisville, Louisville, KY 40292. Tel.: (502) 588-6561.

Southwestern Law Enforcement Institute, P.O. Box 707, Richardson, TX 75080. Tel.: (214) 690-2370.

Traffic Institute, 555 Clark Street, P.O. Box 1409, Evanston, IL 60204

University of Delaware, Division of Continuing Education, 2800 Pennsylvania Avenue, Wilmington, DE 19806. Tel.: (302) 738-8155

University of Louisville, School of Justice Administration, Attn: Prof. Ronald M. Holmes, Louisville, KY 40292. (502) 588-6567.

Virginia Network for Victims and Witnesses, c/o 805 East Broad Street, 10th Floor, Richmond, VA 23219. (804) 786-4000.

Wehh Consultants Inc., Attn: Prof. Robert J. McCormack, 3273 Teesdale Street, Basement Suite, Philadelphia, PA 19136. Tel.: (215) 331-0645.

Western Society of Criminology, Dr. Charles Tracy, President, Portland State University, Administration of Justice, Portland, OR 97207.

Youth Correctional Institute, Attn: Mary Ann Salvatore, Annandale, NJ 08801. Tel.: (201) 638-6191, ext. 337.

5-6. Corporate Aircraft Security. Presented by Richard W. Kobetz & Associates Ltd. Fee: \$350.

6-7. Dispatcher Stress/Burnout Reduction. Presented by the University of Delaware, Division of Continuing Education. Fee: \$235.

6-10. Eleventh National JSTA Training Seminar. Presented by the Justice System Training Association. To be held in New Orleans. Fee: \$150.

9-14. Law Enforcement Diving and Body Recovery. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.

10-11. Wireless Technology: Protection, Investigative and Surveillance Applications. Presented by the University of Delaware, Division of Continuing Education. Fee: \$350.

10-12. Introductory Microcomputer Workshop for the Police Manager. Presented by the Institute of Police Traffic Management. Fee: \$295.

10-14. Community Crime Prevention. Presented by the National Crime Prevention Institute. Fee: \$325.

10-14. DWI Instructor Course. Presented by the Institute of Police Traffic Management. Fee: \$295.

10-14. Bomb and Explosive Device Investigation. Presented by the Georgia Police Academy. To be held in Atlanta.

10-14. Computers in Law Enforcement. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.

10-14. Microcomputer Workshop for Police Application. Presented by the Institute of

Law Enforcement News

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March 25, 1985

John Jay College of Criminal Justice/CUNY
Law Enforcement News
444 West 56th Street
New York, NY 10019

 Department of the Treasury
Internal Revenue Service

1984

Returns

American policing takes on the taxman

Nearly two dozen law enforcement organizations have joined forces to fight the IRS over a proposal to tax the use of take-home police vehicles. And, to no one's surprise, there's a mid-April deadline. **See Page 1, Page 8.**

Also in this issue:

The value of schoolwork: Police officers in a Florida training program help to standardize the state's DWI-testing effort.	1
Court is in session: The U.S. Supreme Court hands down a Miranda-rights ruling, zings a Boston cop on sick leave.	3
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